

A Meeting of the Meridian City Council was called to order at 6:01 p.m., Tuesday, November 22, 2022, by Mayor Robert Simison.

Members Present: Robert Simison, Joe Borton, Treg Bernt, Brad Hoaglun and Liz Strader.

Members Absent: Luke Cavener and Jessica Perreault.

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

**ROLL-CALL ATTENDANCE**

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

Simison: Council, we will go ahead and call this meeting to order. For the record it is November 22nd, 2022, Tuesday, at 6:01 p.m. I think I did that backwards than I normally do, but that's okay. We will begin tonight's regular City Council meeting with roll call attendance.

**PLEDGE OF ALLEGIANCE**

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

(Pledge of Allegiance recited.)

**COMMUNITY INVOCATION**

Simison: Our next item up is the community invocation, which tonight will be delivered by Jennifer Cavaness Williams of the Baha'i faith. If you all would, please, join us in the community invocation or take this as a moment of silence and reflection.

Cavaness-Williams: Oh, my God. Oh, my God. Unite the hearts of thy servants and reveal to them thy great purpose. May they follow thy commandments and abide in thy law. Help them, oh, God, in their endeavor and grant them strength to serve thee. Oh, God, leave them not to themselves, but guide their steps by the light of thy knowledge and cheer their hearts by thy love. Verily thou art their helper and their Lord.

**ADOPTION OF AGENDA**

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

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Have no changes to tonight's agenda, so I move adoption of the agenda as published.

Borton: Second.

Simison: I have a motion and a second to adopt the agenda. 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, did we have anyone signed up under public forum? We did not?

### **ACTION ITEMS**

- 1. Public Hearing for Ordinance No. 22-2004: An Ordinance Accepting the 2022 Development Impact Fees Study; Adopting an Amended Capital Improvements Plan; Repealing and Replacing Meridian City Code Section 10-7-12(E)(2) Concerning Development Impact Fees; Voiding Conflicting Ordinances, Resolutions, and Orders; and Providing an Effective Date**

Simison: Okay. Then we will go right into our Action Items this evening. First item up is continued public hearing for Ordinance No. 22-2004, an ordinance accepting the 2022 development impact fee study. I do see we have Mr. Lavoie on with us this evening in his infirm state. Mr. Lavoie, do you have any comments that you would like to make for this public hearing?

Lavoie: Thank you, Mr. Mayor. I have no additional comments at this time.

Simison: Okay. Thank you. Council, any questions for staff at this time? Okay. Mr. Clerk, did we have anybody sign up to provide testimony on this item?

Johnson: Mr. Mayor, we did earlier, but I believe it was for something else. So, I will just verify. Carol Windle is signed in for this item. I believe she may be here for a different item.

Simison: Okay. Well, if there is anybody present that would like to provide comments on this item, if you would like to come forward at this time and provide any public testimony and if you are online -- they are all staff currently, but if you are online and have comments, please, go ahead and raise your hand. Seeing no one coming forward, Council, do I have a motion to close the public hearing?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I move that we close the public hearing.

Hoaglund: Second the motion.

Simison: 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.

**2. Ordinance No. 22-2004: An Ordinance Accepting the 2022 Development Impact Fees Study; Adopting an Amended Capital Improvements Plan; Repealing and Replacing Meridian City Code Section 10-7-12(E)(2) Concerning Development Impact Fees; Voiding Conflicting Ordinances, Resolutions, and Orders; and Providing an Effective Date**

Simison: Next up is Ordinance No. 22-2004. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. Third reading of Ordinance 22-2004, an ordinance accepting the 2022 Development Impact Fees Study, adopting an amended Capital Improvement Plan, repealing and replacing Meridian City Code Section 10-7-12(E)(2) concerning development of impact fees, avoiding conflicting ordinances, resolutions and orders and providing an effective date.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: We have had public hearings. We have talked about it pretty extensively. I move to approve Ordinance No. 22-2004.

Hoaglund: Second the motion.

Simison: Have a motion and a second to approve Ordinance No. 22-2004. Is there further discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**3. Public Hearing for Substantial Amendment to 2017-2021 Consolidated Plan and Program Year 2019 Action Plan for the Community Development Block Grant Program**

Simison: Thank you, Todd, to yourself and your consultant and your team for all the work and all the city staff on our impact fee committee for their work. It's an ongoing process and now you can start working on the next one. So, appreciate it very much. Next item up is Item 3, a public hearing for Substantial Amendment to the 2017-2021 Consolidated Plan and program year 2019 Action Plan for the Community Development Block Grant program. We will open this public hearing with staff comments from Crystal.

Campbell: Thank you, Mr. -- thank you, Mr. Mayor, Members of the Council. So, this amendment is specific to our Cares Act funding. So, we did receive -- oops. Sorry. We received a little over 500,000 in Cares Act funds and this was to be used to prepare, prevent and respond to COVID-19 and in the beginning we put all of these funds toward public services, because they have typically been underfunded. But there were so many different funding sources that came out that we were not able to spend as much as we thought that we would under that. So, last year I came to you and we amended it so that we could put some money towards admin, so that we could do a needs assessment. So far we are currently 41 percent spent and there is a requirement for 80 percent of the funding to be spent by June 4th, 2023. So, we are a little bit behind where we need to be. So, with this we have several projects that we have funded in the past. Several of those are closed and for the most part they have all been closed under budget. We had our admin, of course, and, then, there was also a youth counseling program. We also funded emergency rental assistance, mortgage assistance and behavioral health services through the Allumbaugh House. Right now we do have a few projects that are currently open. Those would be the childcare scholarships and learning enrichment through the Children's Museum. But even with all that we still have 162,000 dollars that's unallocated. So, we went back out to our partners to see if anybody had any projects and we opened it up so that it was not necessarily public services and so one of the applications we got was for the learning enrichment and so that was no issue, because it was a public service. But we also received an application for Woodrose, that apartment complex that we have discussed a few different times and this application is for acquisition of land to build the complex and it was approved by the scoring committee for up to

300,000 dollars. So, this would allow us to use any additional funds that may be unallocated if one of those other projects closed under budget, we would be able to use that for this project, because it was approved for that amount. We did talk to the housing company to see if there was an additional need for funding in addition to the ARPA funds that the city had already talked to them about and they had indicated at the meeting on July 19th that there was a gap of about 560,000 dollars and they were approved for 400,000 dollars that would go toward impact fees. So, they said that they do still have a gap. Because this is a different activity than what we have -- what we said we were going to use these Cares Act funds for, it does require a substantial amendment, which means that we have to go out for public comment and that's why we are here tonight, so that we could have the public hearing. So, there is two different plans that we had to adjust and the Cares Act funds are related to our program year 2019 Action Plan and so even though it's an old con plan, that's the one that we still have to adjust. So, it's pretty basic changes to the con plan. Basically it's just in the priority needs and goals section. We did connect the need of improved housing conditions to the goal of enhanced housing opportunities and we actually changed the name of enhanced homeowner opportunities to enhanced housing opportunities, since this is a rental project, not homeowner and, then, we added an outcome that this project would benefit at least 25 households. We also updated the description of the goal to -- for this last part of the sentence where it says that we are working with developers to provide affordable rental housing. On the action plan, there is a -- there is more in-depth changes on this one, because this is the specific projects that we are going to do while the con plan is just the overall goals. So, in the executive summary we are updating the public participation process, so that we can include the timing of it and any comments that we receive under expected resources. Then it's the same amount of funding. So, the only change to this was that the activities include acquisition of property to build affordable housing. Under annual goals and objectives we updated the goals to include that same language and the benefit of at least 25 households and, then, we revised the funding allocation so that admin reflects what we actually spent. So, it's the 9,200. And, then, public services we reduced that to 333,045 dollars and housing I put it at 200,000 dollars, even though we only have 162,000 dollars, because that way it wouldn't trigger another substantial amendment if we do have some of the funds reallocated from those other projects, which I'm assuming that we will. The final changes -- the project -- project summary we added the details for the specific project, so just the description, the location, things like that and under affordable housing we included a goal to -- that there would be 25 new units and, then, we also specified how it would meet HUD's affordable housing criteria and, then, the attachments will just include anything showing that we followed our process, like the legal notices, the resolution, things like that. So, we have a few important dates. The public comment period opened on November 15th. Tonight we are having our public hearing. And, then, on December 16th the public comment period closes and on January 2nd, then, I will have it on -- the resolution on the consent agenda for your approval. If anybody has any comments during the public comment period or anytime, really, then, they can reach out to me, Crystal Campbell, and this is my phone number and e-mail address and all of the documents are posted on our website and with that I will stand for questions.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: You answered my first question, which was whether it was in lieu of ARPA funding. Sounds like in addition to. How do we get around the legal issues with CBDG funding for affordable housing projects? That's really exciting if we have figured that out. Can we replicate that going forward? Just because -- as a piece of commentary, the -- the down buyer, you know, home buyer assistance has been really ineffective, as we all know, in this market just because it's so competitive. It's like that money's not -- it's not getting put to work and we are getting it anyway, we have to use it, so I just wanted some comment around, you know, can we do this going forward.

Campbell: That's a great question. I was pretty excited when I was talking to the housing company. They -- the issue is that we can only provide these funds as a grant and they needed them to be as a loan, even if it was a deferred loan. So, because the -- of the structure the Woodrose, LLC, is a separate entity and they are able to have an agreement with us for a grant and, then, they have an agreement with Woodrose LLC to give them the loan.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: That's fantastic. I -- I love the structure figuring that out. This could be a really good tool for us going forward. Again, right, like if -- if part of -- if part of our goals as CBDG is to improve housing options and one of the main buckets that we have been putting money toward isn't being used, using it for something that will be used seems really preferable. Thanks for all the work on that, Crystal.

Simison: Thank you. Council, any additional questions for staff? Okay. This is a public hearing. Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, we did not.

Simison: Okay. Is there anybody present that would like to provide testimony on this item? And anybody online use the raise your hand function. There is still staff. Seeing no one coming forward -- Crystal, were we leaving this public hearing open or were you hoping to have it closed this evening?

Campbell: So, the public comment period will be open, but the public hearing closed.

Simison: So, close the public hearing today is what you are asking for?

Campbell: Yes.

Simison: Okay. All right. Then, Council, turn this back to you for any motions.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I move that we close the public hearing on Item 3.

Simison: 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 and the public hearing is closed. Thank you.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**4. Public Hearing for Rockbury North Easement Vacation (H-2022-0075) by Ronald Hodge, HMM Engineers, generally located at 4253 W. Lovegood Ln.**

- A. Request: Vacation of a 6-foot wide strip of land containing utility easements within a portion of Lots 4-5, Lots 27-28, Lots 29-30, Lots 32-33, Lots 45-46, and Lots 49-50 in Block 1 of the Rockbury North Subdivision.

Simison: So, next item up is Item 4, which is a public hearing for Rockbury Northeast Easement Vacation, H-2022-0075. We will open this public hearing with staff comments. Stacy.

Hersh: Okay. Good evening, Mayor and City Council. The applicant has submitted an application to vacate easements for Rockbury Subdivision. The location is north of West Chinden between North Black Cat and North Ten Mile Roads. The applicant requests approval to vacate the six foot wide utility easements on the shared boundary of Lots 4 and 5, 27 and 28, 29 and 30, 33 and 32, 45 and 46 and 59 -- or sorry. 49 and through 50, Block 1, of the Rockbury Subdivision. The reason for the request is to accommodate the reconfiguration of the lots that were approved with a series of property boundary adjustments. Currently the properties are being developed with townhomes and the easements must be vacated to conclude the occupancy process. The applicant has submitted letters from all the potential easement holders, who all have provided written consent agreeing to vacate the easements. There is not any written testimony and staff recommends approval of the vacation of the easement request as proposed. Thank you. And I stand for any questions that you may have.

Simison: Thank you, Stacy. Nice job. Council, any questions for staff?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Real quick, Stacy. This is R-15 for this development -- particular development I recall? It wasn't listed on the staff report, but I think --

Hersh: I believe so. It's townhomes.

Hoaglund: Okay. Thank you.

Simison: Council, any additional questions for staff? Okay. Mr. Clerk, do we have anybody signed up on this item?

Johnson: Mr. Mayor, we did not.

Simison: Oh. Sorry. I need to go to the applicant. Is the applicant here? Would the applicant like to come forward, make any comments, or you feel good -- okay. Applicant is -- applicant is here. Council, any questions for the applicant? Okay. No questions for the applicant. Is there anybody that would like to provide testimony on this item, online or in person? Seeing no one coming forward, does the applicant wish to make any final comments? The applicant is waiving final comments. Council, do I have a motion to close the public hearing?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Mr. Mayor, I move that we closed the public hearing for Item No. H-2022-0075.

Hoaglund: 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 and the public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we approve Item No. H-2022-0075.

Hoaglund: Second the motion.

Simison: I have a motion and a second to approve Item 4. Is there any discussion? If not, Clerk will call the roll.



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

Simison: All ayes. Motion carries and the item is agreed to. Thank you very much.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**5. Public Hearing for Kingstown Subdivision (H-2022-0045) by Kimley Horn, located at 2610 E. Jasmine St.**

- A. Request: Annexation of 8.20 acres of land with an R-8 zoning district.
- B. Request: Preliminary Plat consisting of 28 building lots and 6 common lots on 8.20 acres of land in the R-8 zoning district

Simison: So, next item up is Item 5, which is a public hearing for Kingstown Subdivision, H-2022-0045. We will open this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. The next application before you is a request for annexation and zoning and a preliminary plat. This site consists of 8.2 acres of land. It's zoned RUT in Ada county and it's generally located west of North Eagle Road and State Highway 55 and north of East Ustick Road at 2610 East Jasmine Street. This is an in-fill enclave property surrounded by city annexed and developed land. The Comprehensive Plan future land use map designation is medium density residential, which calls for three to eight dwelling units per acre. An application for annexation of 8.2 acres of land with an R-8 zoning district and preliminary plat consisting of 28 building lots and six common lots on 8.2 acres of land in the R-8 district was submitted for this development. This project is proposed to develop in two phases, with the western portion of the property developing first, as shown on the phasing plan before you. There is an existing home and several outbuildings on the eastern portion of the property that are proposed to remain until the second phase of development at -- at which time the outbuildings will be removed and the home will remain on a lot in the proposed subdivision. This lot right here. The big one. In accord with staff's recommendation, the applicant submitted a revised preliminary plat in an effort to provide a better transition to existing residential properties to the north and future residential development to the east, which reduced the number of buildable lots from 28 to 26 and increased the number of common lots from six to seven, for a gross density of 3.17 units per acre. Just a side note. The gross density without the large parcel where the existing home is proposed to remain is 3.78 units per acre. Changes to the plan include the removal of three building lots along the northern boundary and the addition of one building lot along the eastern boundary. The size of common lots were increased to meet the qualified open space standards and a 20 foot wide common lot was added for a multi-use pathway connection from Conley Avenue through the large common area to the pathway along the east side of Rogue River Avenue in accord with the pathways master plan and that is this area right here. You can see that pathway that comes up. Access is proposed from the extension of existing local stub streets, North Conley Avenue, North Rogue River Avenue and East

Jasmine Street. From the south, north, and east through Alpine Pointe, Delano and Champion Park Subdivisions. A minimum of 1.23 acres of common open space is required to be provided within the development. The revised common open space exhibit addresses staff's comments and depicts exactly 1.23 acres of common open space that complies with UDC standards. Amenities, consisting of a dog waste station and a picnic area with a shelter, table, and bench seating is proposed in accord with UDC standards. There are many existing trees on this site that are proposed to be removed with development. Mitigation is required for these trees as noted in the staff report. Conceptual building elevations were submitted as shown that demonstrate what future homes in this development will look like. A mix of single story, single story with a bonus room and two-story homes are proposed. Development of this site is difficult because of the three stub streets to this property that are required to be extended and their locations. Although the use and density of the project is in line with the Comprehensive Plan, the comp plan also states that new development should create a site design compatible with surrounding uses through transitional densities, buffering, screening and other best site design practices. If the Council doesn't find the proposed development is compatible with surrounding uses in terms of transition, the Council could require additional landscaping for screening and/or reconfiguration of lots, so that more compatible lot sizes are proposed adjacent to existing development. The number of lots could be reduced by up to five, which would be down to 21 lots, and still comply with the desired density in the medium density residential designation. The Commission recommended approval of these applications with the inclusion of development agreement provisions that prohibit any windows on the second story of homes that face north along the northern boundary of the subdivision west of Rogue River in Block 1 and the developer to encourage backyard landscaping to assist in buffering to the larger homes and lots to the north. I will go over a summary of the Commission public hearing. Nicolette Womack and Teller Bard, the applicant's representative, testified in favor, along with Kyle Enzler, the applicant and property owner. There were several folks that testified in opposition or commented as follows: Leon Johnson. George Fulmer. Mike Bernard. Allen Dixon. Roger Britton. Charlene Britton. Carol Windle. And Mike McGowan and George Windle. Melissa Bernard. I believe, too. Written testimony. There were many letters of testimony received on this application and they are included in the public record. I won't go through all those, because there is a -- a long list of them. Key issues of discussion are as follows: Concerns pertaining to extra traffic this development will generate through existing neighborhoods and safety of area children. Proposed lot sizes aren't compatible with those in adjacent existing developments. Request for property to be annexed with R-4 zoning and require minimum lot sizes consistent with adjacent lot sizes. Request for two-story homes along the northern boundary to not have any windows on the second story that would look into adjacent single story home lots. Require traffic calming measures in area streets to slow traffic for safety. Request for water trucks to be provided during construction to mitigate dust and for trailers and vehicles to be parked on site and not in adjacent developments. A request for existing stub streets on Rogue River and Conley to be closed until construction commences. Concern pertaining to the pathway in Alpine Pointe that many adults and children use to access the subdivision amenities and concerns pertaining to safety of those using it. Installation of caution lights for children safety in high traffic areas. The developer is agreeable to not providing windows on the

second story homes overlooking adjacent lots at the northwest corner and to minimize front setbacks in order to provide larger backyards with greater building setbacks from the rear property line. Key issues of discussion by the Commission were as follows: A desire for the applicant to revise the plat to have fewer building lots and retain more of the existing trees and desire for fewer lots to be provided along the northern boundary and more lots provided along the eastern boundary for a better transition to existing properties. Desire for the mitigation trees required in backyards to be placed strategically to screen adjacent properties and in favor of no windows on second story homes overlooking adjacent lots at the northwest corner and to minimize front setbacks in order to provide larger rear yards with greater building setbacks. The Commission did recommend approval of the project with the inclusion of DA provisions that prohibit any windows on the second story of homes that face north along the northern boundary of the subdivision, west of Rogue River in Block 1 and the developer to encourage backyard landscaping to assist in buffering to the large homes and lots to the north. There are no outstanding issues for Council tonight. There has been many more letters of testimony submitted since the Commission hearing and those are included in the public record. Staff will stand for any questions.

Simison: Thank you, Sonya. Council, any questions for staff? Okay. Thank you very much. Will the applicant like to come forward?

Womack: Mayor, Council Members, Nicolette Womack with Kimley Horn, 1100 West Idaho Street, Suite 210, Boise, Idaho. 83702.

Enzler: Kyle Enzler. 2610 East Jasmine Lane, Meridian, Idaho. 83646.

Womack: Thank you for your time tonight. So, before you tonight we have the --

Simison: Councilman Borton.

Borton: Real quick. Can you get really close to the mic so folks in the back and online can hear you.

Womack: Closer? Okay.

Borton: Okay. Thanks.

Womack: So, before you tonight we have the Kingstown Subdivision project. Our applicant team includes Teller Bard, who is the engineer on the project. I'm a planner with Kimley Horn. Ann is also an engineer on the project. And Kyle Enzler is with Maddyn Homes, the developer on the site. Maddyn Homes is a second generation builder and fourth generation Idahoan family. They have high quality projects with the commitment to more energy efficient homes for families. Before you tonight is that annexation and rezone bringing into the city an assigned zoning, preliminary plat, which will plat parcels for individual sale. So, this will be owner occupied. And, then, a development agreement which will apply specific conditions of approval. High level -- the project began back in

October of 2020 when Kyle bought the site. He is the home builder on the project, but he also lives on the site. So, he knows the -- the -- the parcel personally. He pursued the pre-application meeting in May, had a second pre-application meeting. I'm trying to get the plan dialed in. Had a neighborhood meeting in April of 2022. Submitted in June. We have revised the plans prior to a P&Z hearing, which met the comments Sonya had on her staff report about changing the lot configuration. We had a P&Z hearing in October and, then, we are here for Council. So, again, the project's at 2610 Jasmine Lane. That's north of Ustick, west of Eagle Road. That is near the Kohl's and Hobby Lobby shopping center. This is the -- these are photos of the existing home to remain. This home is over 10,000 square feet and Kyle will further detail on why it has a special place in this project. Again the future land use map is medium density residential, three to eight dwelling units an acre. Zoning map. This is a county enclave and so everything with a color and a zone is already city owned property. City annexed property. Existing conditions on the site. We are abutting several varied subdivisions on all sides, so we have unique conditions against each one of them. Connectivity. There are three stubs into this parcel, which can make connectivity difficult to design and so, again, we have several opportunities and constraints that we are working amongst. We are completing that road network and a pedestrian network. We are preserving the existing home, retaining existing landscaping, working within a triangular lot and roads like to be 90 degrees consistency with four adjacent varied subdivisions. So, again, this is the original submittal. This was prior to the Planning and Zoning Commission hearing. We ended up delaying that hearing and we brought forward the plan you are looking at tonight. So, this is 26 single family homes. The parcels in Block 1 on the northern boundary were reduced to create a two-to-one transition from those lots to the subdivision to the north and that is a similar ratio Delano Subdivision was approved with to the east. Again, there is a lot of right of way improvements on the site, so we are at 20 percent of the site is dedicated to road improvements. Lot sizes vary, but, again, we are within two phases -- broken up into two phases. In phase one there are a few lots which are 4,000 square feet, but we range all the way up to 9,279 square feet. The existing house clearly is on a large lot, because it's a large home and, then, we have seven new single family homes, which range from 7,000 square foot -- foot lots to 14,000 square foot lots. So, again, the direction from staff was to remove lots from the northwest corner and add lots into the southeast corner, which we have done. Open space and amenities. We comply with the open -- qualified open space requirements. Amenity requirements. We greatly exceed the landscaping requirements, because this site is so beautifully landscaped. There is a community picnic area, dog waste station and, then, shown here is the multi-use pathway, which ties into the subdivisions on the north and south. Regarding tree retention on site, it's important to note, again, we have so much landscaping on this existing home. We are retaining, depending on the matrix you use, 79 percent of the caliper inches and 76 percent of the number of trees on the site. Shown here are concepts of the homes within phase one and shown here are concepts of the homes within phase two. We received neighborhood feedback. We had our neighborhood meeting as a workshop style and Kyle has met with the HOA several times to go through the -- the plan revisions. There was discussion about height, phasing, circulation and right of way connectivity, traffic calming and future density decrease -- increases. Regarding the density increase, we would be tied to the

site plan we show you tonight and, again, we complied with the conditions mentioned by the staff report and, then, we agree to the conditions from Planning and Zoning feedback.

Enzler: Thank you. Good evening, Mayor and City Council. I wasn't planning on speaking this evening, but I wanted to give you some context to this -- this project and application. I -- I appreciate your public service and -- and your time this evening and I want to express appreciation to Sonya and the -- and staff for the help on this application. I understand these -- these in-fill projects are tough and as much work, if not more work, for everyone and I -- I appreciate everybody's effort. So, as the applicant I want to give a little bit of context of the project, our background, and -- and our approach and goals for this project. As mentioned, our -- our family is fourth generation Idahoan. We have -- I have lived in Meridian for most of my married life. Our kids go to school here. We go to church here. We serve in the community here. This -- this is our home and it's relevant that we are also a neighbor, because we -- we live here on this site and I only share that to say that we care about the community and -- and we think it's important that development happens responsibly and -- and so we have really done our best to present tonight as a quality project that meets or exceeds both the city's goals and the intent in the master plan. Our primary goal from the beginning was to -- to create a project that would offer quality and -- and as mentioned would be a responsible development. So, we have met -- and the neighbors -- we have a great relationship with the neighbors. I understand that -- that growth is -- is difficult, especially when you are the last project to develop. We -- we border -- there is 29 homes that -- four subdivision -- different subdivisions and 29 homes that border this subdivision and -- and so it's -- it's tough to please everybody, but we have -- we have had a great relationship with the neighbors. We have sat in their living rooms, walked their backyards, had lunch, talked to them on multiple occasions and I feel like we have had good communication. This is us trying to do our best to be good neighbors and -- and responsible developers. I also believe that we have -- as Idahoans we have a responsibility to our environment. I agree with Mayor Simison's goals to execute financially responsible, sustainable and environmentally conscious projects that promote energy efficiency and to evaluate and implement solutions for recycling and solid waste reduction to the landfill. I -- I made a note of that, because what's really unique to this project is at an 8.2 acre project we are retaining 133 mature trees and along with the City of Meridian personally we are also part of the Canopy of Trees and -- and because of that we are able to do a detailed tree analysis of the preservation benefit of the existing tree canopy. These 133 preserved trees covered nearly 10,000 square feet and in addition to the screening they provide for the neighbors, the shade, the privacy, they also produce over five tons of oxygen a year, sequester 1.92 tons of carbon and store over 96 tons of carbon a year. Now, I know I'm a bit of a geek when it comes to this and so that might not sound very interesting, but, in other words, the carbon storage of these trees alone is more than the carbon emissions of all the homes that we propose in this subdivision and I think that's pretty unique. In addition to our tree preservation we are choosing to preserve the existing home on site, that with the garage is over 10,000 square feet. This home is handicap -- handicap accessible with a three story elevator, making it a very unique and -- and -- and needed home for the area and preserving this home would save over 16,000 tons of waste from our landfill and our opinion is is that, too, is -- represents responsible development. So, we believe despite

the challenges of this type of in-fill development, we have really put our best foot forward. We are -- we are asking for the low end of the density per unit in an -- in an R-8 subdivision and we believe that this application meets or exceeds the city's goals and intent of the Comprehensive Plan and along with the recommend -- recommendations of approval from staff and Planning and Zoning we ask you to approve this project with the recommendations proposed by both staff and Planning and Zoning. Thank you.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I'm sorry, sir. Mr. Enzler? Do you have a minute? We might have questions. Thanks. I have a few. Why two phases for such a small site? You know, that's my first question. Kind of struggling with that. I -- I will be honest, I don't like that. It seems like it's better to just kind of know what we are going to get. So, that's my first question.

Enzler: Yeah. Great question. So, when we initially approached staff with this application and -- and I think we have, you know, probably eight or nine different iterations of this plan, our first proposal was only developing the back portion. In my discussions with the neighbors -- they -- they really did not want the connectivity and so we came to staff initially asking in our pre-app for just the back portion and one point of connectivity. In that meeting we were informed that, you know, the intent is that connectivity goes to and through and also from the east and -- and so that really forced us to need to develop the east portion as well. So, it added the two other connections to the project and, then, that -- that piece -- there was one picture that depicted it, but it's -- it's really unique. Even though -- because that road has to come through, there is some tree mitigation and, obviously, we are following the tree mitigation plan for the trees that do have to be removed to put that road in from the east. There is also about a third of an acre pond, like a 35 foot deep pond. There is over 10,000 square foot of shop space that we are repurposing. So, all of that has to come down. So, there is just a lot to it. You know, we -- we currently have a business on site that we are relocating and so we just thought it would be easier to develop in two phases.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. I will be candid. Like one thing I really struggle with in an application like this is where we are preserving an estate home and, then, we are giving you credit for kind of like lowering density when the rest of the site is 3.78 units per acre. You know, talk about how you tried to line up with lot lines. Is this kind of the -- yeah. Have you pushed it as far as you feel that you can to make it economically viable? Like just help -- and our job is not to solve that for you, which I think we all know, but just help me understand where you are coming from in terms of what you have done to meet the

neighbors halfway and why you think it's appropriate to give credit for that estate lot in terms of density.

Enzler: Yeah. Good -- good question. I think, again, the challenge is -- this is a pie shaped piece with a lot of existing conditions that you have to work around, which has just made it very challenging. Couple that with the fact that we are intent on the preservation aspect of it, you know, I -- I -- I understand that Meridian, as most cities do, have a tree mitigation program. There is ways to circumvent that tree mitigation program and -- and we were here when the neighbor to the east literally cut down hundreds of trees and -- and, you know, we were able to kind of circumvent that. So, the preservation aspect is really important, as well -- and so you -- you add all those together and it creates this really unique challenge to development. In the backside there you -- you basically have a triangle with two connection points and we tried so many different designs. Unfortunately, the challenge is is that northwest side is the only kind of straight run in the whole project. So, by the time you put roads in and -- and -- and they are -- I mean we looked at private roads, we did so many different things. You -- you are just really constrained from the site configuration and so, initially, we had -- in our very first iteration we had, you know, I'm going to say seven or eight more lots along that side, which -- which was excessive, but we reduced it down to ten, which is a two-to-one transition on that northwest boundary. I mentioned earlier that we have 29 -- if you -- if you look at -- I think that's where most of the heartburn is, only because that's the site -- the site constraints kind of forced that part of the project, you know, that's -- that's where the majority of those houses in the back section went. So, we -- according to staff's recommendation we removed a couple more lots there and put them on the east side to both soften the transition on the east, which -- which, again, is interesting. We are -- you know, we are -- we are -- we were asked to reduce the transition on that side, but increase the transition on the other side, which we agree to. So, currently you have a two-to-one transition on the most dense area. Overall we have 29 houses that are adjacent to this parcel compared to the 19 lots that we have adjacent with the surrounding. And, then, you know, of course, the house -- you know, because of the size of the house, the house really doesn't -- you -- you need larger estate lots around the house to make -- make it make sense to keep the house and -- and so it's -- again, it's just a challenge. We have reduced lots -- to answer your question we have reduced lots. We have tried to make the transition better. I don't think we have anybody tonight that will be in opposition to anything around any of the big lots or anything, you know, on the -- on the south side of the subdivision, it's primarily the site constraints that, you know, force things to the -- to the northwest there.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you for the feedback and we will wait to hear a little more. Thanks.

Simison: Council, any additional questions for the applicant? Okay. This is a public hearing. Mr. Clerk, I assume all these fine people came here to -- some of them speak as well.

Johnson: Mr. Mayor, you are correct. I do have two people signed up representing Alpine Pointe. I'm not sure how you would like to address that.

Simison: One person for the -- that will stand as a representative of the group, so -- can you list the two names. We do have Paul Miller and Mike Bernard.

Simison: So, whoever is representing -- this person will get ten minutes, everyone else will get three minutes. So, if they want to come up together and -- and speak they can -- if someone is not going to take the entire ten minutes.

Bernard: We will do it -- we will do it separately. Hello. My name is Mike Bernard. I live at 4025 North Dashwood Place. In addition to representing myself as a homeowner, I also represent Alpine Pointe Homeowners Association, currently serving as the HOA president and, then, I did have a four slide PDF if we could get that pulled up. Yes. Thanks, Sonya. And while we are waiting for that, I just wanted to publicly say thoughts and prayers are with the missing -- missing Council Member Cavener. We hope, for both the sake of him and his family, he's -- he's going to pull through here. And, I apologize, I have been getting over this crud that's going around. I will -- I will do my best to limit the clearing of my throat into the microphone. So, as we have already heard tonight -- and I think everyone here tonight knows, Mr. Mayor and Council Members, Alpine Pointe is R-4, but all the lots that border this property are significantly larger than a quarter acre. Champion Park to our south, although that is R-8, all of those properties also are quarter acre size and larger. So, we heard that in the summary. So, the -- the issue that we have is transition between us and this property and that transition from this property to Champion Park. It's not like we are trying to downgrade to meet a higher density property or to transition into a multiplex, multi-unit apartment; right? I'm -- we are basically stuck in between two quarter acre or larger lot sizes and, in fact, as we see on this slide here, Kyle referenced two to one, but, really, we are nine to one or -- or, excuse me, nine to four or -- or ten to four if you wanted to in that transition on the -- on that boundary between Kingstown and Alpine Pointe. And, in fact, in one of those you can see what's represented as Lot No. 1 in purple. That poor guy has got like four lots against his backyard. You know, when he moved into that house very recently he invested tens of thousands of dollars into his backyard, so we could enjoy that and now he's potentially going to have four two story homes overlooking his -- his swimming pool, right, which is not necessarily fair. So, we believe that this should be moved from an R-8 into an R-4 for a couple of reasons. One, that would force -- let's say Kyle decides to sell this once the entitlements are set in stone here tonight. If it's R-4, as a minimum we have it -- we have 8,000 square foot lot size, nothing smaller. Some of these right now are barely over 4,000 in phase one. So, we will establish at least 8,000 minimum lot size and we will also get a 15 foot setback with R-4, as opposed to 12. So, it's -- it's nice that Kyle is going to do his best to push the lots as far forward as possible to make the backyards as large as possible, but the fact of the matter is once zoning is established that's the only thing that we have to



enforce is zoning; right? So, we can't come back to say what Kyle's best intentions are and he is -- he is genuinely a good guy, right, and he has been a really good neighbor. But he's also a businessman; right? And he -- things have to -- things have to pencil out for him. So, we are in support of limiting those homes on the northern boundary if they are going to be two-story and not have any north facing windows on the second floor for the reasons I already stated. Do I have control of this? Now, I wanted to point out -- because we -- we heard from staff that they could drop an additional five lots and still meet zoning. In fact, during -- during the Commission hearings a representative of the applicant admitted that they could freely lose two from what they have already dropped; right? So, they said two times during the -- once in response to staff's report and a second time in response to Councilman Seal's comment about them wanting to have their cake and eat it, too. The applicant stated that they could drop two more; right? So, that's in testimony from when they were in front of Commission. So, I -- I think they will agree and have publicly stated that they have room to minimize that impact along the northern lot further than what they have so far.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Real quick, Mike. If we could pause your time. I want to ask a question on your comment there, just to be clear for the record. Sonya, when that reference is made to keeping the zoning -- I think the staff report mentioned it, too. Is the reference that losing two to five lots would still allow the remaining lots to be within -- under the R-4 -- within the R-8 lot size threshold, just under 8,000 square feet? That's kind of how I heard it. That perhaps if you remove lots the size might go up to 7,600 per, you know, square feet per lot, still being R-8 as applied for, but on the top end of it, as opposed to having also changed the zoning to R-4 to accommodate the reduction in lots. Do you know which it is?

Allen: Mr. Mayor, Council, Councilman Borton, that -- my comment was made towards the density more to be consistent with the Comprehensive Plan future land use designation. So, I don't know how that would lay out lot size dimensionally. There is -- there is options there.

Borton: Because the -- Mr. Mayor?

Simison: Councilman Borton.

Borton: The -- the future land use map could allow it to be R-4. Could even allow it to be R-2. So, the lot sizes technically could be much larger and still be consistent with the comp plan.

Allen: Yeah. The comp plan just speaks to density. So, the -- the zoning -- it could be any of those, as long as their lots complied with that specific zoning designation.

Borton: Okay. Thanks. Sorry to interrupt. I just wanted to try and clarify.

Bernard: No. Thanks. That helped me also. I appreciate it. Can you help me click next?

Allen: Yeah.

Bernard: It's not working here. Oh. Thank you. So, this -- this is just a quick representation of maybe what an R-4 could look like and -- to demonstrate how to transition from our neighborhood into this project would be more equitable for all involved, so -- and next, please. Now, clearly most of the focus on what we will hear an awful lot tonight is about phase one, but I have some concern about phase two as well and that's, again, because once the entitlements are set with this development agreement, then, it can be anything and to reiterate what Mr. Enzler said, he has reached out and we have had multiple conversations and he's looked at multiple options with us and, in fact, the -- the guy's genuinely honest and -- and he told me one time at one meeting that I had with him at a coffee that potentially this property is worth more if you bulldoze the whole thing and just made another Delano out of it, so -- and that's what this is sort of depicting. So, we are hearing a lot about having these estate lots surrounding the existing home and that sounds beautiful and I would really love to see that happen, but the fact of the matter is we are also asking to have estate lots on something that's zoned R-8 and this is what it would look like. If things change for Mr. Enzler and he decided to bring that bulldozer in and just do mitigation for those trees, rather than keeping them. So, I know trees are important, but I think the homeowners and quality of life and property values are worth a little more than trees in the grand scheme of things. So, again, I'm concerned about this zoning for the entire thing and also the zoning in phase two. I think if we want to have large estate sized lots in phase two, then, it should be zoned to enforce that, rather than allowing higher density to be packed into here. Now, we keep in mind this -- this body, when they approved the Delano, which is the project of the west, enforced one story and one story only on Delano that bordered Alpine Pointe and they also enforced no second story windows overlooking into Mr. Enzler's property; right? So, there was -- there was effort put forth three and four years ago to protect this property. That's before us tonight to ensure that whatever went into here would be compatible and that we wouldn't force him into a corner where he felt compelled to do high density and in order to make ends meet. So, that's what I'm asking for you guys to consider tonight. Mostly a zoning issue and a setback issue and, then, maybe reduce those lots in phase one, so it's more compatible. They admitted themselves they could drop at least two. And, then, my final concern tonight -- if we can go to the very final phase -- and we are going to hear probably more about this and you know people have concern with traffic. Anytime we have one of these projects in-fill and we end up connecting all these roads, then, we end up having tons of flow of traffic in places that we never really thought about before, so -- now here is what's going to happen, is we are going to make a mid mile collector flow through this little triangle; right? That's -- we are going to turn that into a mid mile collector and none of those roads that are supporting it were ever designed to do so. So, if we look in the -- in the bottom of that graph where you see the wide light blue line, that's the only road that was built with being a collector in mind, even though it's not really built to current standards, but there is no homes on that. The problem is there is a park right along there

and, then, it cuts -- it cuts through Champion Park and, then, it -- and, then, it moves west past the schools to Locust Grove. Well, here's what ACHD is going to do where that connects to Locust Grove, they are going to put a traffic circle in there and when they put a traffic circle in there traffic is going to flow off the Locust Grove, because it's going to seem like a -- it's the place to go; right? If they build it they will come. And they are going to flow off Locust Grove and they are going to go into Champion Park. They already do that from the school and the Champion Park to get on Ustick, but now we will have a -- now we will have a high speed avenue from Ustick all the way to McMillan through the streets in Champion Park and Alpine Pointe and this new subdivision that were never designed -- they all have front facing homes. They don't have the right width. They don't have the right separation from connector streets. And everybody says, well, we can't do anything about it. That's an ACHD problem. Well, that's not entirely an ACHD problem, because ACHD isn't the land use owner; right? That's -- that's the city's. So, I don't -- I don't have the answer for this. I hate to come and complain like somebody needs to do something, but my recommendation is send this to your Transportation Committee, ask them to look at this and ask them to come up with some mitigation efforts that would help calm that, because people are going to fly through there from McMillan all the way down to Ustick and from -- and from the middle of that over to Locust Grove. So, again, I appreciate your time. Thank you, everybody.

Simison: Thank you, Mr. Bernard. Council, questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Sir -- Mr. Bernard, if you could just stay for a moment for some questions. So, I got the -- we -- we have gotten all this public testimony. I'm looking at the letter from you and Melissa on -- you guys alluded to like what a fairer balance would look like. I think maybe you had a slide that had -- I thought it was very constructive -- what you felt like a better balance would be. So, there was a picture -- sorry. I have several e-mails from you, but I'm looking at -- there was a picture where you sort of drew in -- it looked like instead of ten lots on that northern border, instead you had like seven lots. If you could pull that up.

Bernard: This is a slightly different depiction than I think that -- what you are referencing in the e-mail.

Strader: Yeah. So, this -- so sorry. Just to clarify. So, this is your depiction of R-4, what it could look like; right?

Bernard: Yes, ma'am.

Strader: Okay. That makes sense. And, then, I think what you had sent in your e-mail was a little different, but it was -- it was a good -- I think I thought still a good match up of lot lines. I was counting like seven properties in green on that northern border and, then,

still about five properties there to the south. You know, would you agree that besides the zoning issue, which I understand, that that -- that the transition issue is most acute on the northern border?

Bernard: Well, that's certainly -- that transition is most -- is most interesting to us; right? From the Alpine Pointe perspective. So, I think that drawing that you are referencing is where we were trying to demonstrate what it might look like from a nine-to-four ratio down to the -- dropping the two that the engineer suggested they could lose, down to like a seven-to-four ratio -- seven-to-four ratio, which would be more equitable, without trying to, you know, take too much away from the applicant, but still be more consistent with what we have in Alpine Pointe and specifically make it less burdensome for a couple of those homeowners that have -- particularly the one homeowner to the west.

Strader: Uh-huh. Got it. And, then, I just wanted to add a comment. I thought that your testimony was -- I appreciate your testimony and your e-mail, because I could tell you did a lot of legwork on trying to figure out what solutions could look like, instead of just -- you know, we -- we get a lot of public testimony where people are just opposed to things, but I really appreciate how constructive you were in trying to come up with solutions. Thank you.

Simison: Thank you.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. Mr. Mayor. Mike, question. Even if this were to change for -- for the R-4 versus R-8 and whatever you have, the home -- the -- the street configuration would stay the same. I mean that traffic is going to -- I mean, yes, you reduce the amount of lots, but you are talking about people from other locations you say are coming through here. I guess it -- it comes down to the traffic mitigation no matter what happens here. What -- no matter what the density is?

Bernard: Well, Councilman, I think our -- best case scenario is we wouldn't have three connections through there, like Mr. Enzler suggested they brought to staff early on when he started developing this. So, that would be optimum for us. But we -- we realized that maybe too far of a reach. So, that's why I'm suggesting to you to maybe push this down to the Transportation Commission and have them look at what mitigation efforts might be effective and -- and that could be mitigation efforts in Alpine Pointe, in Champion Park, or maybe in this development, but -- but you are going to have east-west traffic; right? Because this will ultimately connect to Eagle and so there is just a lot -- a lot coming through here. And Alpine Pointe is already over connected in our opinion anyway. But I don't know if I answered your question, but --

Hoaglun: No, I -- I -- I think you did, Mike. It's just a matter of -- and we will ask ACHD this question, because in going through their information packet and whatnot it sounds

like there is going to be three connection points. I mean no matter what. But that's something we can ask them later on, so -- also on -- on the privacy issue, I get it. From our house we have one lot and we ended up with two houses behind us. So, loss of privacy is loss of privacy, whether it's another house behind you -- or in this case it's an unusually large backside of that one lot, so two -- two to one all the way down to that house -- I mean that's just the -- the size of things and whether it's two or whether it's four, I mean is it more loss of privacy? I guess you could argue, well, there is more people, but if -- if we are worried about privacy, then, there should be nothing behind them. So, I -- I guess I didn't follow that privacy argument to the degree I think you wanted me to.

Bernard: Well, if -- if -- if -- if you didn't agree with me, then, you didn't agree with me. I can't convince you. But potentially that homeowner will be up here later tonight and he may convince you otherwise. I think to me two is better than four. If I'm going to have that many backyard neighbors, I would rather have two than four; right? I mean --

Hoaglun: Okay. I --

Bernard: That's an opinion maybe.

Hoaglun: Thanks, Mike.

Simison: And just for the record, ACHD is not on with us this evening, so it's -- Sonya, I don't know if you have got a bat line to Kristy. It's the holidays. She may or may not be here.

Allen: She's not available for tonight's meeting.

Simison: Okay. All right. Mr. Clerk.

Johnson: Mr. Mayor, next we have George Windle.

Simison: And for everyone that comes forward -- if you can state your name and address and be recognized for three minutes and be prepared to stick around for questions from Council.

Windle: My name's George Windle.

Simison: If you can get into the microphone.

Windle: Hello? That one works. Got it. Thank you. My name is George Windle. I'm at 4199 North Rogue River Way, Meridian, Idaho. I'm here to testify regarding this proposal.

Simison: George, if you can --

Windle: I'm here to testify to this proposed development. You can tell I'm not a natural speaker. My -- my -- I oppose to the development. My first proposal of changing the land

use zoning to R-8 is due to the following concern -- and a lot of this information I'm going to present to you was aided by Planning and Zoning's comments and concerns in their updated November 22nd, report. The purposed -- the proposed developer's lot sizes to the north of the abutting property development are four to five thousand square feet on average. This would represent a ratio of two and a half to one to the existing adjacent properties in Alpine Pointe, which would not provide a better transition to the existing abutting properties. The P&Z recommendations of November 22nd, 2022, updated staff report pages, as I interpreted it -- sorry, Sonya, if I interpret this wrong. Page 5, Bullet .3, requires all new development to create a lot size design compatible with surrounding usage through buffering, screening, and transitional densities and other best site design processes per ordinance 3.07.01A. The proposed development in the existing north border lot sizes range from 2.1 to 5.1 and your staff findings suggested a better transition in lot sizes should be provided. Page 5, Bullet .4, encourages compatible usage and site design to minimize conflict, key word, and maximize use of land. Same ordinance, reference 3.07, but 00. The proposed and existing adjacent usage are all single family residential, which should be generally compatible with each other. However, the lot sizes proposed along the north and east border are not compatible with abutting residential lot sizes and may prevent conflict due to not enough transition and lot sizes. Page 5, Bullet .5, the existing proposal will negatively impact the abutting existing development. And that's critical. Your own Planning and Zoning are advising you folks that this is going to negatively impact the surrounding neighborhoods. Page 6, Section V-1, staff analysis paragraph four states: Because of the lack of adequate transition of lot size to the north will likely negatively impact abutting property owners. Okay?

Simison: If you could wrap up, please.

Windle: Huh?

Simison: If you could wrap up, please.

Windle: That's fine. That's what I was going to do. Just get some stuff -- I would like the developer of proposed Kingstown Subdivision to change as follows: Regarding lot sizes and zoning, request to change from R-8 to R-4. The lot sizes on the north boundary be changed to a 1.3 to one ratio for better transition to their abutting properties leading into the Alpine Subdivision and also lot sizes on the southwest side and west boundary be changed from -- to 1.5 to one ration for better transition to their abutting property in the Champion Park Subdivision. Thank you very much for your time and consideration.

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

Windle: Thank you.

Johnson: Mr. Mayor, next is Carol Windle.

C.Windle: My name is Carol Windle. I live at 4199 North Rogue River Way, Meridian, Idaho. 83646-3638. To the Honorable Mayor and to the Meridian City Council, I thank

you for your time. I'm here again as along with all the other citizens that are being impacted by this proposed development. We have submitted written and personal testimony stating the negative impacts for their homes, which our very own staff recommendations and findings have already reported. Regarding 3.07.01A, it states that the transition from proposed to existing homes along the north boundary range from 2.1 to 5.1 transition. Your staff findings stated that a better transition in lot size should be provided. Regarding Ordinance 3.07.00, it states that it should encourage compatible uses and site design to minimize conflicts and maximize the use of land. Again the staff reported the proposed and existing adjacent uses are all single family residential, which should be generally compatible with each -- with each other. However, the lot sizes proposed along the north and east boundaries are not compatible with abutting residential lot sizes and may present conflict due to not enough transition and lot sizes. Last time I was here there was another developer that was -- had proposed a development at The Village and I was so impressed by what our HOA president said, you -- you were all conferencing to decide how could you recommend approval for this development, even though that developer had something that was two stories over the recommended ordinances and our HOA president came up and he asked -- he said we are at your -- and he asked why do we have these ordinances if they are continually being adjusted and -- and we are giving lend to the developers, when, in fact, all of the citizens -- this has a lifelong impact of all -- you know, any decision that any of you make, so we are here -- I'm nervous, but I really hope that you will take our concerns seriously, because it impacts our lives and -- and our livelihood as far as what we put into our homes. Another staff finding stated the proposed in-fill development will likely negatively impact abutting homeowners to the north. So, I recommend at least that we go from R-8 to R-4, that we have a right-turn only signal on Rogue River just as I stated before, because of the safety concerns that are already in written testimony and -- and my spoken testimony and thank you for your time.

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

Johnson: Mr. Mayor, next is Paul Miller.

Simison: Okay. Thank you, Mr. Miller.

Johnson: We have Melissa Bernard.

Simison: Good evening.

M.Bernard: My name is Melissa Bernard. I live at 4025 North Dashwood Place in Meridian. Sonya, Mike had a presentation. Could you pull that up? I would like to speak to this. These are the streets that are passing through my neighborhood. These are variances that are shown from ACHD policies and setbacks and spacing on driveways and access points. All the orange points are potential places of conflict. All the development that has come before you is predicated upon the belief that our streets are safe and they are ready for the traffic that's coming. This is showing me for not. This is showing me a liability we cannot afford. We cannot afford this for our children, for our

neighborhoods, and I'm not saying that this is broke beyond recognition, but, then, perhaps maybe some mitigation needs to be coming forth on some of these square miles. We are going to have six or seven thousand people in my square mile when it's built out. We have children. We have four schools. We are probably going to have several more on that civic parcel. So, when everything comes developed and we are all interconnected, as we should be -- I'm not against that, but we have to be mindful of what we are putting into place. Mr. Enzler, I think he is a great guy. I have had very good interactions with him. If we had some mitigation within his project of some sort, whether it's speed humps, bulb-outs, anything -- something to slow down the traffic within his -- his development and, then, start thinking downstream, that would be great for everyone. I don't see how anyone could say no to that. That's the least expensive way. That is a great insurance policy of making sure our -- our citizens and our children are safe. If he had lower density I would be up here cheerleading for him, saying, hey, this would be great. But the fact is because of the density and the connections without any mitigation whatsoever, I can't stand behind this and I can't be silent. To be silent is to consent and I don't consent. I'm not saying the sky is falling, but we can't take the etch-a-sketch and just give it a shake and get a do over out of this. This is what we have. This is what many of our citizens are coming before you, it's typically density and traffic patterns. I know you care. I know you -- you bring out a lot and you bring a lot to the conversation. But we can't stay in our lane anymore. We can't stay in our lane on some traffic issues and you have a lot of things in your toolbox that we can do to change this. Thank you for your time and prayers for Councilman Cavener. Happy Thanksgiving.

Simison: Thank you. Councilman Hoaglund.

Hoaglund: Yeah. Thank you, Mr. Mayor. Unless I just want to -- and that's what I'm trying to figure out. Do you -- do you tie density to -- to traffic when I -- even if the density is lower, the traffic patterns -- there is still going to be traffic mitigation; correct? I -- I mean I don't understand that -- oh, lower the density and the traffic issues go away. I mean going from 26 down to 14 -- okay, yeah, there is going to be a fewer cars, but you are still connecting these streets and, hence, people from the neighborhood are going to use those streets. So, that's why I'm trying to understand why -- why that connection when I don't see a connection for that.

M. Bernard: Absolutely, sir. I see your -- your point. Everything's been predicated that what's down the road isn't necessarily Mr. Enzler's problem, but it's the entire block's problem when we have six to seven thousand people using this spoke. We are going to have it in all directions. People will find a way to path of least resistance. So, I -- I don't think it's necessarily the density of this project. It's what's down the road from this project that is going to use the roads. Now, his residents deserve a certain amount of traffic control. They also deserve to have safety in their own homes. Now, a few stop signs, a few speed humps, maybe some patterns in the streets, all those passive elements that ACHD often brings up, but never implements at the time when they need to, until something happens. I don't see why we shouldn't -- and it's not necessarily his neighborhood, but maybe strategically throughout the square mile. We need an audit. I mean I'm -- I'm doing this in front of my computer using maps and doing measurements



and things. This was shocking to me. This should -- and I'm sure every square mile has their potential issues and anything we can do to get ahead of that, that would be great and I think Council and -- and Commissions -- the Traffic Commissions that we do have, we are -- we are next to the busiest highway in the state. People are going to find routes to shave off lights, to add a few minutes to their day. I don't blame them, honestly, because that's what the -- the interconnection is supposed to be like. You are -- you are -- the people who are afraid to use Eagle Road to get to the doctor or to get to the grocery store, they need to have other avenues to be able to -- to go around our city safely and so I'm not against the -- the connectivity. I think we need to start having a brain that starts putting in -- in some mitigation. Open it up, but don't make it so easy to cut through.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. And that's one of the things -- in going through -- and I don't know if it's yours or others. There are a lot of letters and lots of suggestions and different things. You know, there are speed bumps in North Camas Creek, speed limit signs, stop signs, but I didn't find where there was a specific here, here, here, here, but that -- which -- which would be helpful. You know, if we are going to mitigate, you know, a development, you know, for -- for traffic, for example, recommendations, that -- that would be handy to -- to have it -- you know, like North Camas. I -- I didn't find that specifically and trying to figure out North Camas exactly where that was on the whole scheme of things. But, yeah, those types of things help as we try to figure that out. Because, yeah, the connection will increase traffic through there.

M. Bernard: Councilman Hoaglund, I can give you suggestions if you would like. I -- I'm not shy about that. But I'm running out of in-fill to comment on, so the end is near. But there are -- there are some things I think we can do proactively as a community. You have your neighborhood, you know where your trouble spots are. Commit -- or Council Woman Strader probably has her own. Mr. -- Mr. Mayor probably has some hot spots in his -- in his own backyard, too. I think we need to start being proactive before the accidents happen. I don't want to see more children killed getting to school, but there is four schools here. I think some mitigation -- definitely in Champion Park, a few stop signs, maybe one at Rogue River, maybe one at Conley and maybe one where -- where it's going to connect to Jasmine or at the end of Jasmine where Delano's going to flow, we are going to have up to 600 high density apartment units to the east of us that are going to define this route to get to the west out Locust Grove. We are also going to have people from the west at Locust Grove in the next adjacent block getting to that new roundabout, finding the flow and skipping four -- four lights to get to The Village. You build it, they will come. And over time. So, this is it. I -- I think the thing we are looking for is something that's livable for Mr. Enzler's project and something that's also livable for -- for our community and this is everyone as a -- on the whole. It's just not in my backyard. It's everyone's.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Comment. I appreciate the effort that you go to to highlight the issues and different things and suggestions. So, I do appreciate the time you take for that, so --

M.Bernard: Thank you, sir. I appreciate your time. Happy Thanksgiving. Any other questions?

Simison: Yes. Just a question for you. So, back to what at least this developer can control on -- in this project. From my perspective, looking at the north-south connection point, it's got some good stop points that, you know, you are coming to T's, you are turning. I don't see it, quite frankly, impacting the -- the speed through this development. It may go in other places. Actually see the worst speed going to be going right by his house, you know, because it's -- it's a fairly straight element out. So, is there a recommendation for that road in that location on their property that you think is important or necessary to improve this development, recognizing there may be other things outside this development with -- and I wish it was easy to get a stop sign. Even in my neighborhood I can't get stop signs where I would like to see them sometimes. So, with thoughts on this -- what this developer can control in this parcel for a traffic calming measure that you think would make sense.

M.Bernard: Mr. Mayor, I believe that would be anything around the pathway system where that's going to connect. I think maybe a speed hump or a speed cushion. We don't want anything to impede our fire or police. We also need this for a possible detour when those accidents happen on Eagle Road or if we have a gas leak on Locust Grove. You need to keep these channels open, but I also believe you need to slow down the traffic a little bit. Maybe right by Mr. Enzler's project, right by his house where he has got the largest parcel, that might be a good spot. Maybe make sure we mark the crossways for that pathways really heavily and if we start noticing speeds, I -- I think -- I think sometimes there is a little resistance when citizens come forth and it's like hard to believe -- oh, there is not that much cut through. Yeah. There is. There are those people going 40, 50 miles per hour. Those are rare. Most of the time people behave themselves. But I think we need to move -- remove that element of the possibility and if it gets somebody that adds a few seconds to their local traffic within our -- our neighborhood, a couple speed humps, a few strategic stop signs and, I'm sorry, you being the Mayor can't get a stop sign where you need to have it and I think that's it. I think citizen feedback is always important. The traffic commission. I have watched a few of their hearings. I think ACHD -- yes, they -- they are the road authority, but you have got a lot in your toolbox, too, as a Council that you can do to implement some safety and I think that's very important.

Simison: Okay. Thank you.

M.Bernard: Thank you.

Johnson: Mr. Mayor, next is Christopher Chaffin.

Chaffin: Council Members --

Simison: Wait until you are at the mic and state your name and address for the record.

Chaffin: My name's Chris Chaffin. I live at 2473 East Wigle Drive in Champion Park Subdivision. Been longtime resident there. My -- my chief concerns are basically the -- the -- the size of ratios of the lots compared to the lots that are in the subdivisions around that particular area and much of what Melissa went through as far as the traffic, you know, there -- there are going to be problems, obviously, because the roads are a lot more narrow and, you know, anybody is going to -- that's out there is going to try to probably find the -- the path of least resistance to try to get from point A to point B. So, that's just mainly my chief concern. The only other thing is that I can think of is what I have observed as far as -- I don't know if this is a question for ACHD or maybe another entity at another time, but the -- the speed limit that goes through at least my subdivision is 25 miles per hour and it's often -- often exceeded I have noticed. I -- I think it should be a -- you know, a maximum of 20 miles per hour, my opinion, where ever there is, you know, children involved if there is a school especially and there is tons of school children that live in my -- in my neighborhood and it's just -- unfortunately it's a matter of time before one of them, you know, gets in an accident or, you know, something happens and I just don't want that for anybody. So, anyway, those are my chief concerns, but I would like to second what -- I would like to second what the last speaker said, so I really appreciate things. Thank you.

Simison: Thank you. Council, any questions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I was just going to recommend, you know, Chris, this -- the Police Department comes out, they can put up the speed signs, you know, radar type of things and let people know what -- what they are doing and different things and they have even gone out and -- and I have talked to them about that, where they can come out -- neighborhoods call, HOA, say, hey, can you come out or just got too many -- too much traffic that's going too fast and -- and they do and you know what the result is? They catch all your neighbors.

Chaffin: Oh. Okay.

Hoaglund: That's my -- I live next to a collector in our subdivision. I know those cars. They live in my neighborhood and they are whipping down the street. So, it's not always the -- the out folks, but it's just the nature of people sometimes. So, if you want to make lots of friends as -- if you are an HOA call for the police to come out and do a patrol and you will slow it down for a while, but it -- it will be your neighbors. So, that's been their experience.

Chaffin: Okay. Well, I will take your word for it I guess. All right. Anything else you guys? Thank you.

Simison: Thank you.

Johnson: Mr. Mayor, next is Allen Dixon.

Simison: Mr. Dixon, state your name address for the record, please.

Dixon: Hi. My name is Allen Dixon. 2499 East Wainwright Drive, Meridian, Idaho. I live on the corner of -- where Rogue River comes into the new subdivision. I don't -- this might be an ACHD question, but could they put one of those fire department only post in the middle of the road there? Is that something -- where they -- there wouldn't be through traffic?

Simison: Yeah. That -- Sonya, has -- has that issue come up at all in terms of making these a not connected street?

Dixon: There are some around us I have seen that have the little --

Simison: I know they are.

Dixon: Since this subdivision has never been opened before, is there any way they could just use it for a fire department, police department only?

Allen: Well, that would be the preferred option by neighbors and I don't blame you. However, when -- when stub streets are -- are -- are stubbed to adjacent properties they are meant to be extended for connectivity and interconnectivity between neighborhoods. So, the purpose is for them to be extended. So, ACHD will require them to and city code also requires them to.

Dixon: Okay. How did the other ones get connected that way?

Allen: I'm not sure --

Dixon: Not sure.

Allen: Are you referring to the one directly to the -- the east?

Dixon: Yes. Correct. There is a road there.

Allen: There was, yes. That was determined through the public hearing process and I believe with ACHD as well.

Dixon: I think that would solve half the problems I'm hearing tonight. I'm in favor of less houses behind me. I was hoping it would line up a lot to lot. With the zoning concern -- I

moved from downtown Boise where I own property and I watched zoning change from four houses to 70 houses next to me on one side and on the other side two fourplexes to 233 apartments. So, zoning is very important when you have established neighborhood and, then, a zoning comes in that's more than yours and I appreciate the gentleman that owns the property. I barely have met him. I met one of his staff. Very nice people. I have owned property. I'm not sure how much he's going to make on the whole project, but getting rid of a couple lots -- I can't think would be a end of project decision. It would sure make the neighbors happy and as far as the trees go, I look out the back door, I don't see any trees on phase one. Not one. So, the trees he's saving, I believe, are all in -- in phase two and I don't know, if, yeah, there is a picture of that, but I don't think there is any trees in phase one he is saving, but there might be, but I don't think so. I think most of them are in the phase two. So, by saving all the trees that doesn't affect where I live and all our neighbors live in Alpine Pointe. It won't affect -- there is no trees cut down there. There would be no trees there. So, those are the only concerns I have. I -- I -- I'm not against the development. So, if it goes through that's fine, I would just like to see less houses.

Simison: Thank you, Mr. Dixon. Council, any questions? Thanks.

Johnson: And, Mr. Mayor, the last person indicating they wish to speak is Laura T. Laura, I know it's been three years and I still cannot pronounce your last name. I apologize.

Trairatnobhas: Hi, I'm Laura Trairatnobhas from 4621 North Camas Creek Way in the Alpine Pointe Subdivision. First of all, to Mr. Enzler, you have great courage to do in-fill development. We all know how incredibly difficult it is. Maddyn Holmes builds beautiful homes. A lot of them are over a million dollars and they are really lovely. I would love to see this be an R-4 and that way Mr. Enzler could show us some of the beautiful, beautiful homes that he builds in an R-4 type subdivision. They would match up much better with Alpine Pointe. We would have a few less homes than we would, few less people going through the subdivision. I realize that won't make much difference to the traffic overall, but I think it would make a big difference to the livability of the people who already live in the subdivisions surrounding the Kingstown development and that's all I wanted to say. Thank you for your time and for your efforts and have a good Thanksgiving.

Simison: Thank you, Laura. Council, questions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Laura, since you live on North Camas Way, I'm just curious -- there was a letter that, you know, talked about speed bumps on North Camas Way. So, I take it even now there is traffic to get out to McMillan and do you know where speed bumps should be located?

Trairatnobhas: I have some good ideas. Yeah. A lot of that traffic is coming -- it's cutting through to get to Settlers Bridge, which is to the west of Alpine Pointe. Speed bumps certainly could be --

Simison: Laura, could you get closer to the mic?

Trairatnobhas: Oh. Sorry. It's going into Settlers Bridge. They cut throughout Alpine Pointe to get there. We could certainly use a speed bump -- as you come off of McMillan onto Camas Creek there is a little bit of a -- a hill there that goes over the canal and people just roar down off that thing as fast as they can go and I live right there, as do my two neighbors -- Sherry and Denise who were here with me tonight -- all of us have a terrible time trying to back out of our driveways, because there are four roads all coming together there. Lacewood, Wagon and Granadillo and Camas Creek. People just -- you know, they go --

Simison: Laura, can you --

Trairatnobhas: Sorry. It's too short. I'm sorry. I need a taller one. Yeah. They are just going as fast as they can. So, yeah, one speed bump there would be great. A couple of stop signs. But, again, we know how hard it is to get stop signs -- would also help.

Hoaglun: Okay. Thank you.

Trairatnobhas: Okay.

Simison: For the record stop signs are easier than speed bumps, but they are still difficult.

Trairatnobhas: Okay. All right. Thank you.

Simison: Okay. That's everyone who signed up in advance. Is -- if there is anybody that would like to provide testimony, if you would come forward at this time and, then, you will be recognized. Just come on up to the mic. And I will -- and we just have two staff online, so I'm just going to focus on those in the room. If you would state your name and address the record, please.

McGoff: My name is Mike McGoff. I live at 2431 East Wainwright Drive. I'm -- I have the big lot. It's a half acre. What Mike proposed on his six houses there, that would be nice. You know, zone four. If there is going to be a two-story, maybe just be a -- a sunroom or a bonus room and no east-west or north windows, because they are all going to be looking in my yard. I have got four houses that proposed to go in there. Two is better. That's it.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Thanks, Mike. What do you think about having the windows in the second floor in those homes?

McGoff: On the second floor?

Bernt: Yeah.

McGoff: On the north, no. On the east and west -- they will still be able to see in I think everybody's -- everybody's backyard. If it's just a bonus room facing to the south, that would be great.

Bernt: Thanks, buddy.

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

McGoff: Thank you.

Simison: Is there anybody else that would like to provide public testimony on this item? Then would the applicant like to come forward to close? Oh. Come on up. Just get right into the mic, please.

Britton: Here we go. Okay. Better? Charlene Britton. B-r-i-t-t-o-n. 2457 East Garber Drive, Meridian, Idaho. I have got the whole thing. Anyway, I'm on Garber Drive and I am offset from Conley, so as the cars come down Conley, once this is opened up, I will be seeing them every day. As in-fill projects go, I don't think this is bad. I think they are very difficult to do. My issues, even though everyone's issues and concerns are valid and I appreciate them, mine come from -- I have lived near an in-fill project. It took almost two and a half years -- two years fighting and two and a half -- one and a half years building and so my issues were some of the ones -- and Sonya did an excellent job for the overview from the Planning Commission's meeting to you, because it covered a lot of the things. So, mine come more from when it is being built that the water trucks come, the trailers are not offloaded in the neighbors on -- in the neighbors -- on either side. All openings are opened at the same time. I think everybody would love if we just had Jasmine Lane open and come in one road and, then, everybody could turn around and go back out one, but these stub streets were there 15 years ago and they are well marked. So, I just bought this home a little over a year ago. I had no idea that there was going to be a subdivision put there and there was no sign and on the other side on North Rogue River, that sign who -- who states this is a stub street, it will eventually have a street here -- had been painted over with white paint. So, I get it. Everybody's upset. But if I had to live with something I could live with this. I -- my -- really my heart goes out to the person with four homes. So, if something could be done there. And the zoning in phase two be upsized and locked in, then, I think you have, you know, got a project that you can live with. Thank you.

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

R.Britton: Good evening. My name -- my name is Roger Britton. I live at 2457 East Garber Drive, directly adjacent to the project. That was my wife. You know, I understand there is a lot of parts to this puzzle as far as the community is concerned and the developer. We would just like to see a responsible project being managed correctly, so the least amount of impact to the neighborhoods exists. We have already a large traffic flow in our neighborhood due to the elementary school, so I can only imagine what it's going to be like when all three of these stub roads are opened up and it is what it is. We just ask that, you know, he keeps the dust mitigation down, that he keeps all his vehicles for his construction crews and so forth on the site, so that the neighborhoods are, you know, not impacted heavily and we just ask for those considerations, so that we can all enjoy the project as it develops. And also I have been kind of looking at this -- I don't see the need for this foot trail to go from one side to the other. I really don't see that. Because what that's going to do -- as you know where my house is, is right next to the foot trail that currently exists. I kind of work dead ends at my house. Well, it's going to open up and, then, everybody and their brother is going to walk by there. So, I'm not a real fan of that. So, that's all I have. And you know what, thank you very much for coming here today. I know we all got a holiday, so please enjoy.

Simison: Thanks, Roger. Council, any questions? Okay. Thank you. Is there anybody else that would like to provide testimony? Would you like to come forward?

Bahro: Good evening. Bernie Bahro. 2584 East Lacewood Drive, Meridian, Idaho. Just to address the traffic concern, one of the things that hasn't been mentioned tonight -- and when the Delano project was in before the Dashwood decision was to close that particular road, there were lots of detailed discussion about traffic mitigation, stop signs, which intersections, but the biggest crux that we have in Alpine Pointe is almost all of our houses have RV bays, either filled with boats or campers or motorhomes, and I live just off of Camas, I'm the third house in on Lacewood and so we have Settlers coming through. We have the people on Camas coming off of McMillan using Lacewood to get to Wainwright and, then, eventually out to Eagle and you can't move your head from one direction to the other when you are backing into your driveway without having another car there in a heartbeat and as soon as you give them an inch before you are back in your RV back into the -- into your bay, you know, they are going around you and it's -- it's just -- it's trying to, you know, put into context that there is two different elements going on here. One is, obviously, the density and adjacent to our subdivision and the houses like Mike, who you just heard spoke. But the other is once these roads are opened up, it's a free for all coming through there and -- and almost every single house on Camas, on Lacewood, going in and out on Wainwright, we all have RV bays and we are all backing up and we are all getting older and we are all trying to be really careful bringing those, you know, units into our bays and so it hasn't been mentioned like tonight, so I just wanted to say that. Thank you.

Simison: Thank you. Council, any questions? All right. Thank you. Is there anybody else that would like to provide testimony? Okay. Then I will ask applicant to come forward to close.



Bard: My name is Teller Bard with Kimley Horn. 1100 West Idaho Street, Suite 210, Boise, Idaho. 83702. Just wanted to say thank you tonight, Mr. Mayor and Council Members, for just hearing the project and asking questions and being involved in the decision making. A few things that I wanted to point out and clarify, just based on the public testimony. Is that the comp plan calls for three to eight dwelling units per acre and this proposal was for 3.17 dwelling units per acre. The comp plan states objectives for transitions of approximately two to one. This was exceeded in the original proposal of 28 lots. The applicant, based on staff feedback, reduced the plan by three lots in the north boundary, so that went from 13 lots to ten lots and increased it by one lot on the east, for a net decrease of two lots. Based on that change staff recommended approval and P&Z recommended approval and based on neighbor feedback at P&Z there were two conditions added to the application. One was for no north facing windows on the second story of homes along the northern boundary and that tree planting would be encouraged in those rear yards. It's important to note that in discussions of transition, the fifth lot, which is a county lot, which is outside of the Alpine Pointe Subdivision, has not been considered in the transition calculations. So, there are five lots that border the northern boundary. This subdivision proposes ten. That is a two to one transition. The corner lot there is unique. It's unique to its subdivision and its size and because it's unique it -- it carried a unique risk in neighbor transition. There was a -- a comment made about additional lots that could be removed. I just want to -- to specify that those were not based on the economic analysis staff has made a statement that five lots could be removed from the subdivision and still remain comp plan conforming. Just to note that two of those lots have already been removed. That was the net two decrease that I had discussed before and based on my calculations I don't believe that we can go below 25 lots without being less than three dwelling units per acre. It's an 8.2 acre project. Related to the concerns about traffic, the objectives and policies of ACHD require the connections. The three roads stub through. The proposal, the road configuration, the connection points, they are not unique. It was noted that from the -- if this site is traversed from the north to the south there are four required stops. One at the intersection south of the site, which I can -- I think I can point here. So, there is one at this subdivision here. There is one in the internal T. Another at this inner internal T. And another one as people were to exit. So, that would definitely encourage -- I guess less hurried travel through the area, just more responsible. One of the things that I want to identify is that you heard the developer discuss the economic viability and also his intent on preservation. You heard him state facts about -- about what that tree canopy means for the City of Meridian and -- and what it means personally for him as well. Further reductions to the lot count invites more environmental impacts. Based on the developer's testimony, the lot count cannot be reduced below 27 -- or 26 and the project to be economically feasible. Reductions on the west half of the project will require additional removal of trees and the demolition of Kyle's own home. It's important to note that this preliminary plat, if approved, secures the development plan for phase one and phase two, changes to increased density or any changes to the development plan in phase one or phase two will require another application to be submitted, a period of public comment and public hearing. Did want to identify that there are trees saved in phase one. Those exist in the common space west of Rogue -- or east of Rogue River through here. There are a number of trees that are being saved and maintained in that open space. There have been -- there has been

testimony tonight that an R-4 zoning would be more appropriate for this development. In fact, the only surrounding R-4 zoning is to the north in Alpine Pointe. To the south is an R-8 zoning. To the east in Delano is an R-8 zoning and just at the very southeast corner is a development that was approved at R-15. An R-4 -- an R-4 zoning would increase setbacks. It would increase lot sizes. But as I mentioned and Kyle has testified, the project becomes economically unviable at less than 26 lots. So, those 26 lots would need to be maintained across the entire eight acres and that would require, again, the removal of the trees and the demolition of Kyle's own home.

Enzler: Kyle Enzler. 2610 East Jasmine Lane, Meridian. Idaho. So, appreciate -- appreciate Mayor and -- and City Council for you being here tonight. I -- I do appreciate the neighbors. As they have mentioned, we -- we have, you know, had good communication and so my -- my comments are -- are -- are more general. You know, this -- this subdivision -- the most recently approved subdivision by City Council was to the east of us. That was an R-8 and, then, a small sliver of R-8 and, then, R-15 right behind that. To the south of us is also an R-8 and -- and the only R-4 is to the north. So, I think there is kind of two different discussions going on. One is density and -- and the other is -- is the zoning. As -- as Teller mentioned, the zoning might affect setback requirements, but in reality phase one meets the R-8 setbacks. Phase two, because they are bigger lots, are more aligned with the R-4 anyways, just by -- by choice. So, again, the challenge is, you know, in talking about transition, as Teller pointed out, I think the area that has most heartburn, which we have discussed a little bit, is that northwest -- you know, where we have a five -- or two-to-one transition, we have ten to five lots. But if you look at the whole north side we have 12 lots total on the north to nine lots that we are adjacent to. On the east we have three lots to eight that we are adjacent to and on the south we have five lots to 12 that we are adjacent to. So, again, it's just part of the challenge of an in-fill project. I think it's evident that we have done our best to work with the neighbors and -- and try to find a win-win scenario. It is to the point where we are -- we are at the -- I mean just over the lowest dwelling units per acre here and it's really just not economically feasible for us to develop this plan, while preserving the house and the trees and -- and lose more -- more lots.

Bernt: Mr. Mayor? Can you pause his time? I just wanted to interject real quick to -- to ask a question. You have said a couple times that it's not economically feasible to decrease the amount of lots more than what has already been done. I'm -- is -- is -- if it -- if it -- if you choose -- and -- and I'm just hypothetically -- this is not my position, but it's a question I need you to answer.

Enzler: Yeah.

Bernt: If it's denial or less lots, which one do you choose?

Enzler: I would choose denial.

Bernt: Okay.

Enzler: I -- I -- and -- and I will -- I will clarify. So, a question came up in Planning and Zoning and ultimately they recommended approval, as you know. Would you remove the house and come back with a new application? So, you know, I first started by just explaining why I chose to keep the house and why I chose to keep the trees. My -- my point in pointing that out was just to show one other aspect of me feeling like that's the responsible thing to do. The other -- the other part of that, however -- I was approached by three other developers and I thought that they would share that same interest that I had in preservation of the house and the trees and they had zero interest. They didn't even look at the house and -- and their goal would -- knowing that this is a medium density residential, three to eight dwelling units per acre, would be to maximize density, you know, and -- and -- and tear down the house and the trees and so I think that that's what this project would look like is -- you know, certainly there is a cost to the tree preservation. You know, there is -- and I -- and I think where it becomes economically feasible is trying to meet all those objectives with a reduction in lots as it currently is. I do think that you could get, you know, even a better transition possibly on that north side by removing the trees, removing the houses, and I think you would still be within that three to eight dwelling units per acre, but I think you would jump. I think it would be more than the 3.2 that we are asking for. So, again, this is the application that's before you. I think if -- if that was the case we would be having a different conversation and -- and, you know, possibly a lot more representation from Champion Park, who would, then, have a lot more units along their west border and -- and -- or south border and so it's just part of the challenge of the project we have.

Simison: You still have five minutes. I didn't know if you were concluding your comments or not.

Enzler: Yeah. I -- I was probably a bit long winded enough. I appreciate -- appreciate your time and -- and certainly open for any additional questions.

Simison: All right. Thank you.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Are you -- are you thinking about selling this development or developing it yourself?

Enzler: No. I have -- I have been intent on developing it myself and I think what you have heard from the neighbors is that's been the conversation all along. The -- I lived here when Delano application went through and was approved at an R-8. I was -- I was part of -- in fact, it was -- it was this HOA that contacted me and -- and said, hey, we saw this great project you did down the road. We would love you to be the developer. Can you come buy this and develop it and -- the Delano project and I said, well, that's not exactly how it works. I don't have that -- but that's what started the conversation and so, you know, I think it's -- I think it's evident what our intent has been in our discussions with neighbors, you know, they haven't said one bad thing about us and I appreciate that. It's

just -- it's just -- we have a -- we have a challenging subdivision and I feel like if, again, it would be -- I -- I think the opposition is growth and the fact that we are the in-fill piece that are connecting all these pieces, not necessarily that -- I think they would oppose any development, frankly, but -- but I think that it would look different if you had to develop the phase two and -- and tear down the house and the trees.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I want to make sure I get the number right. So, the number of lots are 26. Does that include the current house -- your house or is it 26 plus?

Enzler: Yes. Yes, sir.

Hoaglund: Total of 26 lots in this development. Okay.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just want to push back a little bit. I'm having a hard time -- you know, certainly there are economic tradeoffs. Looks like you could lose -- you know, again, you have lost two units and that's hard. It sounded like you could still meet the minimum density here losing three more units on the north side. You have already heard, I think, that that would help with the transition. I guess I'm -- I'm surprised that -- that just as your breaking point wouldn't work for you, my concern -- I just want to be really up front. The neighbors are not wrong about the zoning. We just had a case come before us and the truth is like once it's zoned and entitled, you know, you can sell the property and it -- it could look like a totally different R-8; right? I'm just concerned about what we might find here. I'm more comfortable with R-4. At a minimum you would have to lose lots I think to get me to vote on this. On the north side. I just -- I won't get there on it. I just want to be transparent about that. I don't feel like this is an appropriate transition, particularly in that spot. I think it's the worst. I appreciate what you want to do with the estate lot and preserving the trees, that really speaks to, you know, some of my goals as well for the city in terms of preserving trees, but, you know, there is just a lot here that sort of bothers me about the two phases and, yeah, I just -- so, I guess if -- it would just be good -- I -- I guess I'm hearing you, you know, losing lots doesn't work for you. If you want to amend that statement let me know, but I just wanted to be up front about how I'm going to vote tonight.

Enzler: Thank you. I -- I appreciate those comments. I'm not sure if that was -- if there was a question there. You know, I -- I -- I think that we came into this initially with considering more lots and -- and we have reduced down to this point and, you know, again, we are basing that off of both the current market of, you know, things are expensive and things are expensive both to develop, to build, and they are expensive to afford and so, you know, it's -- it's really a challenge, because you -- you know, you -- you do have

this affordability issue as well that I -- I realize that everybody wants, you know, higher -- I mean they want big houses next to their house or -- or larger lots, but at the same time we have this challenge with what it costs to develop and what it costs to build and -- and I just don't feel like it's unreasonable with an R-8 to the east and R-8 to the south and us and the -- and the Comprehensive Plan as a medium density residential, which is three to eight dwelling units per acre and we are -- we are asking for just over three. So, you know, I feel like that's pretty reasonable. I understand -- I understand your points and the challenges with transition. I -- I think in reality, aside from Mike's lot, if you look at the length of Mike's lot, it's the length of two of the lots. So, I -- of -- of all the other lots there, just based on the fact that it's a flag shape -- shaped lot in the corner. So, I -- I also realize that a lot of neighbors, you know, made mention of Mike's lot and have heartburn to that effect. But, again, it's -- it is the same transition that everybody else is getting, you know, from a -- a -- you know, from a -- a measurement standpoint. It just happens that his lot is a flag shaped lot and -- and covers a lot more of that in that area, so --

Womack: Can we get the PowerPoint back up? I just wanted to address your comment real quick. Thank you.

Simison: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I feel that my -- I feel that he answered -- I feel like he -- he addressed my nonquestion. It was a comment. I just wanted a reaction from him.

Womack: Oh.

Strader: Thank you.

Simison: Council --

Allen: Mr. Mayor? Pardon me. May I clarify something that I said earlier on density? I made the comment earlier that the applicant could lose up to five buildable lots and still be consistent with the density desired in the medium density. The applicant corrected me. The Comprehensive Plan actually rounds up, so anything 2.5 units per acre and up is considered rounded up to three for consistency with the Comprehensive Plan. So, I just wanted to clarify that on the record. The applicant could technically go down to 21 buildable lots and still be consistent with the Comprehensive Plan designation on that property. Thank you.

Simison: Thank you, Sonya. Councilman Borton, did you have --

Borton: Excuse me, Mr. Mayor. Just to kind of -- where I have taken all of this with the public comment and your comments, in-fill is super challenging and -- and the two big issues here -- one, traffic is always an issue with stub streets and hats off to you for bringing an application that makes a bunch of connections and you are always going to

get blowback and it's very difficult. So, you have done a really good job with a difficult parcel. So, the traffic is something I -- I can get my head around. The connection and the -- the pros and cons of that. But like Council Woman Strader had mentioned, the only thing I -- I would ask you to -- to bend on, which you have answered candidly, is -- is the lots on the north. I see a different -- a different way. You could -- you could keep an R-8 zoning as applied for, but have a DA provision with the minimum lot size, just because you have got a pretty big -- big breadth of lot sizes within an R-8. You know, a minimum 4,000 to 8,000. So, you can accomplish what would effectively be a reduction in lots by having a reduced lot size in the DA, still an R-8 application, but that, then, would preserve the -- the reduction in lots. A different way to maybe get to the same solution that you don't want to get to for reasons I understand. But part of my concern is not necessarily what's best here the next one, two, three or five years, which the economic circumstances might dictate exactly what you are doing I get, but longer term and looking longer term I'm not certain that what's in front of us is what's best. I think removing a few of those lots might be the best long term solution. But I totally respect your perspective and the challenges in doing so. I just also wanted to share kind of the -- the thoughts I had in reading all of the application in the public comment, hearing everyone's comments tonight meant a lot and it also was very impressive and well received, the relationship you have with all the neighbors. I think that speaks to your whole team, that there is a -- a fair, friendly agreement to disagree on some of these provisions. So, we don't always hear that, so that's well done and appreciated. But for me I'm -- I'm just not there. You may end up with tie situations tonight. I don't know. But just wanted to give you that initial feedback.

Enzler: Thank you. Thank you. I appreciate that.

Borton: You bet.

Enzler: Just -- just a point of clarification so I understand. Is -- is the challenge that you have with it in regards to the transition on the north side or is it the dwelling units per acre of the whole project?

Borton: The transition to the north. Yeah. It's -- it's reduction of lots to the north. A different way to get there. I, quite frankly, didn't have as much concern with windows on the second story. I mean I have -- now I have got them. Everyone's got them around and it might be even more odd architecturally to not have windows to the rear. So, I didn't think that was as big of a concern, especially if you could address it with some mitigation on -- on that transition, some loss of lots.

Enzler: And so, again, as a point of clarification so I understand. Two quick comments there. So, the -- the second story windows came as a result of the neighbors being concerned with the privacy. My -- my comment to that was, you know, the majority of the plans shown here are single level or single level with a bonus that's in the front. Where we do have a two story and it's rare in these -- in these particular plans, it's a two story stacked over the front and so my accommodation to that was, hey, I -- I can commit to either single -- you know, that -- that -- that all along the north side there there is either

going to be single level and/or if we do have a two story it's going to stack in the front and it won't have a need to have windows in the back. So, that was the recommendation that we agreed to. And, then, in terms of the -- the transition, because our -- our understanding in -- in talking to staff and when we originally brought the application forward and we had a lot more units on that north side, was that the preferred transition and the transition that's often approved is a two-to-one transition, which is what we shot for on the -- and -- and achieved on that north side there and, then, everywhere else we have a way better transition. So, I guess I'm trying to understand is what -- what is the transition that you would support on that north side there if it's not two to one?

Borton: So, as I -- Mr. Mayor?

Simison: Councilman Borton.

Borton: What I'm looking at -- at the north, I see four lots, ten -- ten lots abutting four, really. I mean your 11th lot on the furthest to the west I'm -- I'm not necessarily including that against you, as far -- as well as the one to the north. So, it looks as though there is, in essence, ten abutting four.

Enzler: Okay. So, what one point of clarification. The -- not one --

Borton: Nine. Sorry.

Enzler: -- is a common lot.

Borton: Nine.

Enzler: Yeah. So, the -- so -- so, it's -- I guess the -- there is that lot in the corners that Lot 10 and Lot 11, abut that fifth lot there. That's -- I -- I believe, because Alpine Pointe is primarily the ones here having public testimony, those four lots are in Alpine Pointe. There is that fifth lot there that two of our lots are adjacent to. So, it is five lots there, not four. And so it is -- we have ten residential lots to their five on that north side. I just -- okay. Okay.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I was curious, Kyle, when I look at that -- you know, Lot 10 --

Enzler: Uh-huh.

Hoaglund: -- is right there. If you were to lose one lot, you kind of -- things kind of shuffle down, maybe not even as far you just go to that property line, but you would have three against Mike's -- I think it was Mike's property there to the north and, then, the others still kind of remain at that one and a half to two ratio with loss of that one lot and I don't know

if 11 would become a little bit wider, but just kind of shuffle that down with the loss of one. But -- but it's interesting, though, for -- for those in the audience. If you turn on Wainwright and go down -- I think that's Lynnwood, that lot just for the northwest of Mike's, right there at the corner, three houses on -- on Lynnwood abut the property to the west. That's a three to one. Now, those homes impacted that home. Now, should we do away with one of those homes now? Well, a little late for that. That's a rhetorical question. But I mean there is always an impact on somebody, somewhere, somehow that's not good. I mean that's -- that's the reality we deal with. So, that's the hard part. And I will talk a little bit more, but I will let you think about Lot 10. So, you know, growing up in Meridian we have changed so dramatically and -- and I -- and I'm at the point where trying to understand my kids, my oldest with -- got the little grandkids now and trying to buy a home, they can't afford where we live in an R-2 to R-4 subdivision. It's just -- it's too expensive. The costs have gone crazy. The cost to develop. I think you have talked about that, Kyle. You know, the cost to develop and build is different than it was when Alpine Pointe and the subdivision I live in now were built and -- and so we have -- you know, there is a concept called housing -- the housing ladder. You know, how do kids start into the home? They start probably like many of you out there, you know, you are in your apartment or in your triplex or duplex or something like that and, then, you try to find that starter home and, then, you go up from there and, then, your home -- and, ultimately, hopefully, you reach the point where I'm very happy where -- the house I live. But now in that housing ladder as we climb up, I'm almost to that point with all the yard my wife has, who is a master gardener and works me to death on weekends, I look forward to going to work on Monday. Now, we start thinking about -- I'm going to downsize. I'm going to downsize. So, where do people go when they want to downsize? So, this particular development is kind of at two continuums of the housing ladder. So, we have got that up and we have got that downside and one of the things I note is -- is Kyle here -- is the owner of the property, the developer, and he is going to live there. That is a rarity. What we mostly get -- and we really have to be careful, because we know the developer that we have, yeah, is -- they come in, they are going to build it, that product, sell it and they leave and there is no interaction. So, that -- what you have is -- is an albatross here and you might not want to shoot the albatross is what I'm trying to warn you about. Some -- something to think about. So, the other thing tonight -- you -- if you -- many of you were here early and we are going through the agenda, one of the first item was that easements and we get those quite often. They change things a little bit, they don't need the easements, we get all the sign off from all -- the power company and everybody else and that's what we did tonight. That was an R-15. Did you notice what was to the north? R-2, R-4 all around it. There was one R-8 down here. The rest down here was R-15. That's -- because we want to have that mixed-use. Our Comprehensive Plan speaks to that process. So, that's what we are trying to do is not have just a monoculture of R-2, R-4, because not everyone can afford that and we understand that as the age and demographics change and move and shift, we want to have that type of diversity in housing. I completely get the road impacts, traffic impacts, and we are truly struggling with that here in Meridian. The roads -- we can't keep up with that and we are -- we are doing what we can, but -- and so that's why I'm interested in what can we do to mitigate? What are those things in this particular development for a stop sign that -- that is not going to be a convenient corner to navigate. That's going to be a very slow process. But, you know, you are right, people will find ways



that -- that it's worth it to them, instead -- instead to deal with it, so just a few things to think about in the process. So, Kyle, losing Lot 10 as an option. What -- what -- what do you think? And, honestly, I'm just one -- one vote up here, so I -- I don't know where they would go. So, just --

Enzler: I understand. I mean it's -- it's -- it's a -- I mean the challenge as -- as the developer standing here trying to answer that question is knowing that -- that even though it -- it in this setting it just seems like one lot. It -- it does represent a significant amount of cost for the project and so, you know -- so does pushing it down the road and trying to redesign it and so I'm -- I'm kind of scratching my head a little bit on it. You know, if -- if I hadn't gone through nine iterations of this plan, then, I might say, oh, gosh, maybe we go back to the draw -- I mean that's -- that's my thought process; right. As you are asking that question I'm like, oh, gosh, well, maybe we can redesign the Common Lot 11 to switch it over and -- you know. But it's -- it's just really tough with the dimensions of this lot to do -- with this dimensions of this piece to do that without just having it, you know, cost a lot more, so --

Simison: Councilman Bernt.

Bernt: You know, I -- I -- I can -- I'm looking at you, man. Yeah, man. I'm -- I'm looking at you, brother, and I can tell that you are really struggling with this and I can tell like you are -- you are -- you know, I can tell you care and I think that's a really big deal. I can tell like this is more than just a development for you and I can tell that you are -- you are -- you are -- you are completely all in. It's completely evident by the look on your face and the anguish that you are feeling. You know, I -- you know, I -- I think that I'm with my Council Members on this as well and I -- and I -- and I think at the end of the day it's your good intent that sort of put you in a bind to a certain degree, because of your own personal house that is -- has a gigantic lot and -- and so if -- if I were -- I -- in -- in -- in -- in our shoes -- at least with me, I can speak for myself, I always try to put myself in your shoes. I try to put myself in the -- the neighbors' shoes and I -- and I try to look at it in both perspectives and I'm telling you it's -- nine out of ten times it's pretty difficult. It's -- it's really hard to come to a perfect, you know, answer that -- that will -- that will make everyone happy. In this situation I -- I do believe that it's not unreasonable. I -- I believe that the -- the concern on the -- on the north end of this project that your neighbors have is -- is -- is a reasonable concern and I realize that maybe a lot or two at the end of the day with how your development is designed and how it looks like, makes it a really -- it's really a big deal and I understand that in 2022, almost 2023, the cost of development is extraordinarily high. I'm in the flooring business and I have builders that are my clients just like you and they are -- I have had some really candid discussions with all of them lately and they are -- everyone is singing the same song and, you know, at the end of the day I -- it's not our purview to tell you that now is the time or to say maybe five years from now is the time. How we approach this is -- does this make sense, regardless of what type of economic condition that we are facing and that's how I'm approaching it and it's the reason why I just can't support it and -- and -- and I know that's not what you want to hear. I'm looking at you and it -- I can tell you are anguishing about it, but it -- but it's just where I'm at, you know. It's just -- I feel for those -- for your neighbors and I just think that

they are -- their ask is reasonable and at the end of the day you just need to make a decision on what that looks for you in -- in your development, so --

Enzler: I -- I appreciate -- I -- I do appreciate those comments and -- and I do care.

Bernt: I know you do.

Enzler: So, I'm -- I'm glad that that shows. I think it is also challenging, because, you know, all those developments happened when this piece was a nice big eight acre piece and so, you know, it's -- there is just so many pieces involved, as you know. I -- I -- I think -- I think more than anything I'm -- part of what has me scratching my head and -- and -- and wanting to make sure that I understand what, you know, it -- is it -- if it's -- if it's primarily the transition and losing a lot that would get the support or -- I -- I think what's challenging -- I think we have a slide of -- and I can't remember what slide it is -- of all of the different objective -- objectives for this type of a project and so I think what the challenge is for me as a developer, having gone through this particular in-fill piece, is you look at all those objectives and you say, okay, you know, how can we meet or exceed the expectations of the Comprehensive Plan of what the intent is, of what staff is telling us and really put forward a good application and we -- and -- and, then, we even put it on PowerPoint where we go through and we are like check, check, exceed, check, exceed, and then -- and, then, we get here and we are like, no, that's not exactly what we support and so I -- I understand -- I understand the arguments of -- and so I guess it's just trying to have clarity of, well, what -- we are -- what is -- is it -- is it just the transition that we are missing the mark on and, if so, is it -- is it really just the transition on this north side, because that's the only transition we are really talking about and all the way around, which is also just, again, a constraint of the -- the in-fill project and so -- you know, I don't even know if I'm -- I'm being clear in what I'm saying. It's just kind of like scratching my head saying how could we have done this differently or, you know, or -- or brought forth a project that was even more aligned with what -- what the city wants and what the medium density residential code is and what's been approved around us.

Simison: So, Kyle, I will -- I will tell you what I think I have heard.

Enzler: Okay.

Simison: From at least two Council Members is you lose one lot on the north and make it so there is no more than three on the large piece and I think -- I have heard you would have two Council Members be supportive of that project. I'm not going to say for a fact, but that's at least what I have heard from two of them and, you know, my -- my question -- I don't know -- the lots on here is -- could that be relocated down to the southern area, again, to make those lots smaller? I don't know if it could. You know, with the bends in the roads -- I don't really know how that works with -- where you can put accesses and what that makes those dimensions, if it even is feasible. So, I'm not saying that that's what they would -- the -- it's a reduction --

Enzler: Yeah.

Simison: -- but it's at least a reduction up there and I will say from my perspective I -- I -- I was thinking I might get an opportunity to -- to vote tonight, but as of right now I'm not, but I would agree that the -- the four on one, if it can be avoided, it is something that would need to be addressed.

Enzler: Yeah. I think I --

Simison: Council, feel free to say otherwise from what I --

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I -- I haven't been a fly the wall on every single conversation you have had with your staff, but I -- I -- I did read in the staff report and it did say that that was one of their concerns; right? I mean that transition was -- their concern was highlighted in -- in our packet, so -- I mean this can't be a shocker to you.

Enzler: Well, I -- I believe the concern -- and -- and maybe I'm wrong here, but I think the concern was brought up initially when we had more transition. I mean we had more lots along there and, then, when we reduced it, then, my understanding was, then, staff was supportive of it and that was when we -- we reduced the lots, but I understand. I understand the point of view and I -- I appreciate Mayor explaining that. I -- you know, again, the challenge is it's -- it's going to cost one way or another, you know, if it gets pushed down the road or -- I -- you know, I -- I think I can reluctantly support losing a lot on that north boundary as a condition of approval, with no more than three lots adjacent to any one lot on the north side, if that's the ask.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I just wanted to point out one other thing to my fellow Council Members tonight in that also for the folks that are out there, who if they are paying close attention, one of the items that we adopted resolutions tonight was an increase in impact fees and it just increased these houses by a few -- a few dollars -- quite a few dollars. Now, we all agreed -- it was a unanimous vote, because we want growth to pay for itself in terms of building fire stations, building police precincts, providing fire trucks and -- and car -- and -- and police vehicles and more parks. So, we had to increase them, because land costs are going up, we want to find another park site, it's going to cost Bookoo bucks. So, we want growth to pay for that, not the folks here in this room who have already established themselves. So, that's a good thing. But, again, it comes back to what is the cost of that development. We just made it go up starting in February. So, just one of those things to consider, how -- how do we make it all work? These are not easy decisions and it's not fun to say no and it's not fun to say yes, because somebody's going to be, you know, feeling like they lost when we try not -- we don't want people to feel like they lost, but we

want to make sure they go away, whatever side they end up on, they understand why some of us came to the decision that we came to, because we want to have real reasons why we do what we do and it -- and it is hard and whatever we -- how we vote up here I respect my colleagues impact -- opinion and impact, because they want what's best for Meridian and sometimes our -- our views don't exactly match up to it, but I know in their heart they always want what's best for Meridian. So, that's why it's okay to disagree from time to time, but, yeah, these -- these are the tough ones. But it's better than last week where we had an in-fill project and we started exactly the same time, 6:20, and we get done at 10:35. Right now it's only 8:30, so -- and I am -- my bottom is feeling it, so I don't know if we want to take a break and let folks kind of talk amongst yourself and -- and, Kyle, to think about this for sure. Are we -- we to that point? We will probably get something to drink, eat, and use the restroom, but rest assured we don't talk about this, because we cannot. Everything has to be on the public record. So, just -- just be certain about that. We -- we do follow the rules, so -- but I wouldn't mind taking a five minute break.

Simison: Okay. Well, we will reconvene at 8:35. So, that's an eight minute break.

(Recess: 8:28 p.m. to 8:37 p.m.)

Simison: All right. Council, will go ahead and come back from recess.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yes, Mr. Mayor. I just wanted to confirm with Kyle, if he would, if we can just wrap up this discussion and, then, we will -- we will -- I guess we will take some action based on your last discussion losing a Lot 10, moving those lots down to some way configure just approximately three houses to do that to -- I call it Mike's lot, Mike's house, but is -- is that a -- is that acceptable?

Enzler: Just -- okay. Now, it's back on. So, one -- one of clarification just -- just as -- for my own understanding. If I -- if I agree to that, a possible scenario is, then -- possible scenario is that a -- an approval, if there is enough votes that it would approve with a condition to remove Lot 10 and no more than three lots transitioning to any one north. Is that what that would look like?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. I -- I -- I think it would, along with the conditions that were also agreed to from Planning and Zoning already on some houses and windows that I think you have already agreed to as well. So, I don't --

Enzler: One follow-up question if I may. Does that -- one of the -- one of the neighbors in -- in the break suggested that I maybe relook at another area to see if I could shift a lot to still get a lot in another area. So, would that preclude me from doing that or would that -- would I just be --

Hoaglund: Yeah. Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: And, Kyle, yeah, I -- I mean if -- if there is a serious discussion with neighbors and about doing some other things, what I would probably want to do is that we continue this hearing and let you come back. I don't know. I -- I'm -- I'm -- I'm looking at Sonya and how much can they move before it becomes another application type of thing, so -- or Bill. Yeah. You know.

Nary: Mr. Mayor, Members of the Council, one option -- that's certainly your call. If -- if there is a lot reduction as part of the development agreement we would generally like a new map, so we clarify on what that is. But you have six months to sign the development agreement. In that six months there is an opportunity that you still can request a modification of the development agreement within six months. There is -- there is some cost to process and all that, but that would be -- that would give you time, so you didn't just have two or three weeks or a month to figure out if you could squeeze another lot in. But to come back with a modification to go back from 25 -- or sorry -- 25 to 26, to move a lot to the east or the south or whatever, so you would have a little more -- more of a window to have those conversations. When we have a development agreement modification you would have notice -- notice to the neighbors, neighborhood meeting, you know, go through all of that, but it would only come back to the Council, not the Planning and Zoning. So, you wouldn't have two hearings, you would just have the one. But that's a different option. Certainly a continuance is an option as well if you think that's something you would rather sooner than later, because it generally takes Sonya six weeks or so 'ish from beginning of the process for our DA mod to actually get to a hearing, five to six weeks.

Allen: Eight weeks approximately, yes. Are you done, Mr. -- Mr. Nary?

Nary: Yes.

Allen: Mr. Mayor, Councilman Hoaglund, if I could just clarify another thing that I -- I think you asked. Is it a new application? This -- this project was noticed for 28 building lots. As long as you don't increase those lots we don't have to renote. So, it -- it would still be the same application.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just some feedback. So, what I like about the other parts of your property -- of your development, I like the transition in the other side of your triangle. Kind of worried for you if you want to redo it -- totally do it, but take the continuance to do it, because without seeing it I -- I can't visualize it to get my head around it. I might be there on losing a lot if I could see it. I think I can see kind of what that would do. I think that would be a huge improvement. I'm still kind of interested in some sort of minimum lot size concept, as Councilman Borton said, just because I feel like it would provide a lot of mitigation in the unlikely event that this property changes hands and somebody else comes up with a new version of what R-8 looks like that I totally hated, so I -- it's totally up to you, but I would say take a continuance to like think through that feedback is probably the best approach. You know, think about if there is a minimum lot size that works for you once you have redone all these boundaries. I think it could really improve the whole north side. I think the north side transition could really -- could really be a lot better. I mean there are things you can do, too, with your open space that -- you know, who knows; right? And like if I were you I wouldn't want to be designing this at 8:45. I feel for you, because you have been in this process for a really long time. That's really hard. I think a continuance in the grand scheme of things might be the way to go if you are going to kind of rework it. I think Councilman Hoaglund is giving you some good advice on that.

Enzler: Thank you. I -- I appreciate everybody's comments and advice and clarity on -- on the question. I -- well, I -- the neighbors have -- have spent a lot of time. We have spent a lot of time. We have been to a lot of iterations of this plan. I don't think my desire is to continue. So, to answer the question I think I -- I would be amenable to losing one of the lots on the north side as a condition of approval and committing to the previous recommendations of approval, as well as also no more than three lots on the -- adjacent to any one lot as a transition.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: If we were to proceed on something like that, question for Legal. The -- the P plat is part of this application. Would verbal references to that type of adjustments still allow us to take action on the plat?

Nary: Sorry. Mr. Mayor, Members of the Council, yes, because, again, we are going to have to make findings based on that and, then, prior to the development agreement we would want to -- also want a new drawing, because we are going to attach it to the development agreement. So, there is still a little bit of process, but, yes, you could certainly take action with those directions. Sonya can reflect them in the -- in the findings.

Borton: Mr. Mayor?

Simison: Councilman --

Borton: Tie. You win.

Allen: Tie? Okay. Mr. Mayor, Council, I'm -- I'm a little concerned about a condition that would allow or require, whatever, no more than three lots adjacent to the -- the northern lots. I -- I think it's acceptable for Mike's lot, but there is two lots right now that have two lots abutting them. What if this changes it to now they have three? So, that's -- that's my concern and it brings up more issues that weren't contemplated tonight because of the current plan that the neighbors might have. Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. What I was thinking if -- if we go that route it would be -- again I will call it Mike's lot -- would be reduction of lot number ten, no more than three lots on -- on his -- abutting his property and the remaining lots adjust as -- as needed. So, you couldn't get three at -- behind another -- another location and --

Simison: And if you want to be technical about it, looking at this, there is three to the one right next to Mike's lot currently, based upon how I see it and three to the next one and three to the -- I mean they all have three along that northern boundary to a certain extent currently.

Hoaglund: Mike, I mean -- I'm sorry. Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. Mr. Mayor, Kyle, you know, I -- I -- I do get nervous when we try to do things on the fly from up here, because we might miss something, we might not be aware of something that the neighbors might, you know, want to -- want to speak to and our process is set that, you know, you have the last word and -- and -- and presentation. This is an annexation and just for folks who -- this is not a normal thing, you don't do this every week. It's also a preliminary plat. So, when we talk about where the lines are drawn and whatnot, that's what we are going to adopt. We are going to -- would approve annexation and the preliminary plat. Now, as legal counsel has pointed out, they can make changes to that, come back for a modification of that, but -- and there is a process for that, but I think we -- if that preliminary plat comes back we would like to have it in front of us, to Councilwoman Strader's point, you know, it -- it really is something that -- that is important and -- and we want to make sure works and there might be some other ideas out there, because you might want to say -- because they have talked about -- as Sonya pointed out, you could have 28 lots. Now, if there is a way to figure it out, you fix the northern lots and you want to squeeze another lot somewhere possibly -- now, again, the neighbors might not like where it is and whatnot, it impacts somebody else, but that is a possibility and if -- to make a motion -- if I were to make a motion just lose Lot 10, no more than three lots behind Mike's lot and it doesn't pass, it's a denial and so I'm -- I'm just kind of trying to guide you to the point that I think a continuance might be best. It -- unfortunately, we -- we would have the hearing in January -- it's probably the earliest. The Clerk gave me the list of what hearings we have on the next couple weeks that will be meeting and

-- and they are -- they are -- they are full schedules, so it's like it would be probably first half of January. So, comment to -- to that if you might, Mr. Mayor.

Simison: My comment or --

Hoaglun: You can -- you can always comment, Mr. Mayor, but Kyle's got it.

Simison: I -- Councilman Borton.

Borton: Mr. Mayor. So, it's painfully grinding to go through this, but it's just everyone's intent, including yours, to get this right and try and find some balance and compromise and I think Councilman Hoaglun's proposal is well grounded. It seems to fit some -- create some balance here. Your concession is noted. I think removing Lot 10 is a big deal. Maybe less than what members of the public want or some folks up here want, but more than what you want to give and compromise is what -- what we are looking for on both sides. So, I can get around what Councilman Hoaglun is proposing, which would be removal of Lot 10. I wouldn't be supportive of trying to add it somewhere else. I think there is a lot of really good with this project and everything on that east side really is -- is well thought out. It's a difficult project, difficult in-fill parcel. So, I wouldn't want to invite you and wouldn't be supportive of trying to find it somewhere else. I think removing Lot 10, adjusting everything, sliding those lots out -- they all get wider. No one parcel to the north has more than three lots behind it. It's relatively simple adjustment to the plat is something that I can get around and that might get you at least to two.

Enzler: I appreciate that feedback.

Borton: You bet.

Simison: So, do we have just direction on what --

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun?

Hoaglun: Well, I -- I think we will -- we will take a stab at this with -- with -- with a motion and we will see where it goes.

Enzler: Okay. Thank you.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: After considering all staff, applicant, and public testimony --

Johnson: Mr. Mayor? Apologies. You want to close the public hearing?



Hoaglund: Oh, yes. We need to close the public hearing. Thank you. Mr. Mayor, I move we close the public hearing on H-2022-0045.

Borton: Second.

Simison: Motion and 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?

Simison: Councilman Hoaglund.

Hoaglund: After considering all staff, applicant, and public testimony, I move to approve File No. H-022-0045 as presented in the staff report for the hearing date of November 22nd, 2022, with -- besides what has been agreed to -- in -- in the P&Z meeting and by the developer, that the preliminary plat reflect the elimination of Lot 10 and with the adjacent northern lot, Mike's lot, not have more than three lots to its southern boundary. And with that, Mr. Mayor, I -- I move to approve.

Borton: I will second for discussion.

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

Borton: Just to clarify the motion real quick.

Simison: Councilman Borton.

Borton: If I understand you correctly, that's Lot 10 in phase one; correct?

Hoaglund: Correct.

Borton: Will be removed. And, then, all of the northern lots in phase one -- I'm going to say this sort of backwards. None of the parcels to the north would have more than three properties adjacent to them; is that correct? Not just reference to what we have been calling Mike's lot, but none of them would have three.

Hoaglund: Mr. Mayor, yes. I mean there is the second lot in from the east. There is one full lot and, then, there is two parcels. I mean is -- are we talking full lots or are we just talking portions of -- of a lot? So, yeah, no more than three portions of a lot would -- would be I think how I would say it. I -- I would agree to adding that to my motion and that the other lots not have more than a portion of total of three lots.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I appreciate all my Council Members. I always especially appreciate Council President Hoaglund, because I feel like he always tries to find the right -- strike the right balance. I'm just going to be a no on the basis of process. Like for me I think we need to have a certain level of hygiene around annexations and I -- I would just want to see this concept plan come back. I think I can see -- I think I can see what's it's going to do, but I'm just at a point with annexations where, unfortunately, because of recent developments I have been convinced of the criticality of getting them to really -- close to the outcome that -- that we exactly think we are going to get. So, for that reason I will be a no. But I'm supportive over all of this. I think it's moving in the right direction. I think I can see where it's going to go. Thanks.

Simison: Thank you. Council, any further discussion on the motion? Okay. Clerk call the roll.

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

Simison: Mayor votes aye. Three to two.

MOTION CARRIED: THREE AYES. TWO NAYS. TWO ABSENT.

### **FUTURE MEETING TOPICS**

Simison: Okay. We are at the end of our agenda this evening. Anything under future meeting topics or a motion to adjourn.

Hoaglund: I move to adjourn, Mr. Mayor.

Simison: 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 8:54 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

\_\_\_\_\_  
MAYOR ROBERT E. SIMISON

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
DATE APPROVED

ATTEST:

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