

A Meeting of the Meridian City Council was called to order at 6:00 p.m. Tuesday, December 9, 2025, by Mayor Robert Simison.

Members Present: Robert Simison, Liz Strader, John Overton, Doug Taylor, Anne Little Roberts and Brian Whitlock.

Members Absent: Luke Cavener.

Other Present: Chris Johnson, Bill Nary, Bill Parsons, Nick Napoli, Tracy Basterrechea, Steve Taulbee and Dean Willis.

**ROLL-CALL ATTENDANCE**

<input checked="" type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Brian Whitlock
<input checked="" type="checkbox"/> Anne Little Roberts	<input checked="" type="checkbox"/> John Overton
<input checked="" type="checkbox"/> Doug Taylor	<input type="checkbox"/> Luke Cavener
<input checked="" type="checkbox"/> Mayor Robert E. Simison	

Simison: Council, we will call this meeting to order. For the record it is December 9th, 2025, at 6:00 p.m. We will begin tonight's regular City Council meeting with roll call attendance.

**PLEDGE OF ALLEGIANCE**

Simison: If you would all, please, rise and join us in the pledge.

(Pledge of Allegiance recited.)

**COMMUNITY INVOCATION**

Simison: The community invocation had to cancel this evening.

**ADOPTION OF THE AGENDA**

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

Strader: Mr. Mayor, I don't think we have any changes needed. I move that we adopt the agenda as published.

Little Roberts: Second.

Simison: 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 agreed to.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**CONSENT AGENDA [Action Item]**

1. **Meridian Commerce Park Offsite Water Extension Water Main Easement No. 1 (ESMT-2025-0161)**
2. **Werre Short Plat Water Main Easement (ESMT-2025-0169)**
3. **Final Plat for Baratza Subdivision No. 2 (FP-2025-0025) by The Land Group, located at the southeast corner of N. Black Cat Rd. and W. McMillian Rd.**
4. **Final Plat for Mondt Meadows Subdivision (FP-2025-0026) by Gregg Davis, Breckon Land Design, located at 6101 and 6152 S. Tarrega Ln.**
5. **Approval of Public Works Construction Contract to Fatbeam, LLC. for the Fiber Optic Conduit and Cable project for the Not-To-Exceed Amount of \$589,000.00**
6. **Resolution No. 25-2554: A Resolution of the City Council of the City of Meridian Approving the Bylaws of the Meridian Arts Commission, Meridian Historic Preservation Commission, Meridian Parks and Recreation Commission, Meridian Planning and Zoning Commission, Meridian Solid Waste Advisory Commission, and Meridian Transportation Commission as Amended Pursuant to Meridian City Code 2-1-1(C)(2) and 2-2-1(C)(5); and Providing an Effective Date.**
7. **Resolution No. 25-2556: A Resolution of the City Council of the City of Meridian to Amend the City of Meridian Standard Operating Policy and Procedure Manual by Amending City of Meridian Standard Operating Policy 4.1 and Standard Operating Procedures Number 4.1 Concerning Holidays; and Providing an Effective Date.**
8. **Resolution No. 25-2557: A Resolution of the City Council of the City of Meridian to Amend the City of Meridian Standard Operating Policy and Procedure Manual by Amending City of Meridian Standard Operating Procedure 3.4.6, Regarding Shift Differential Duties and Compensation; and Providing an Effective Date.**

Simison: Next up is the Consent Agenda.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I move that we approve the Consent Agenda, for the Mayor to sign and Clerk to attest.

Little Roberts: Second.

Simison: Have a motion and a second to approve the Consent Agenda. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the Consent Agenda is agreed to.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

### **ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]**

Simison: There are no items moved from the Consent Agenda.

### **PUBLIC FORUM**

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

Johnson: Mr. Mayor, we did not.

### **PUBLIC HEARINGS (Action Item)**

#### **9. Public Hearing for Meridian LUXE (H-2025-0035) by Mary Wall, located at 2350 W. McMillan Rd.**

- A. Request: Comprehensive Plan Map Amendment to change the future land use designation from Office to Commercial.
- B. Request: Rezone from the L-O zoning to the C-C zoning district on 5.99 acres of land.
- C. Request: Development Agreement Modification to create a new DA with a new concept plan.
- D. Request: Conditional Use Permit for a Self-Service Storage Facility in the C-C zoning district.

Simison: Okay. So, we will move right into our public hearings for this evening. First item up is Item 9, which is a public hearing for Meridian LUXE, H-2025-0035. We will open this public hearing with staff comments. Good evening, Nick.

Napoli: Good evening, Mayor, Members of the Council. Next item on the agenda is the Comprehensive Plan map amendment, rezone, conditional use permit and development agreement modification for Meridian LUXE. So, the applicant requests a condition -- a Comprehensive Plan map amendment to change the future land use designation from

office to commercial, a rezone from the L-O zoning to the C-C zoning across 5.99 acres of land, a development agreement modification to remove the property from the current DA to create a new DA that includes a new concept plan and elevations and a conditional use permit for a self-service storage facility in the C-C zoning district. The site is located at 2350 West McMillan Road and as shown on the screen the existing zoning is L-O and the FLUM is office. So, subject property was annexed as a part of the Kelly Creek Subdivision in 2003. The property was given the L-O zoning consistent with the FLUM designation. However, the property -- property was not included in the plat for Kelly Creek Subdivision, has remained a residential land use -- or residential use. The original concept plan contemplated approximately 37,000 square feet of office space for the site and here is a little bit more zoomed in picture of that original concept plan for this property. So, with this application the applicant is proposing 18 commercial multi-tenant units across four buildings, totaling 24,336 square feet of commercial space, which is on the western portion of the site and 41 privately owned storage condos or a self-service -- self-service storage facility across five buildings totaling 54,000 square feet. The applicant has indicated that the primary use for the commercial buildings is intended to be flex space. However, the C-C zoning district allows for other uses that could occupy the tenant spaces. Due to the proximity to residential uses the hours of operation will be restricted from 6:00 a.m. to 11:00 p.m. for both uses. Staff is evaluating the western portion of the site using the commercial parking standards and not the flex space standards, due to uncertainty around future tenants. So, the UDC requires one space per 500 square feet of gross floor area for commercial spaces. With the 24,336 square feet proposed, 49 spaces are required and the original site plan provided 55. However, since the Planning and Zoning Commission hearing the applicant has added an additional six parking stalls to bring that to 61 parking spaces. While this exceeds the minimum requirements of the UDC staff is concerned that it may not be enough for high intensity uses. With 18 tenant spaces that's roughly about three spaces per tenant, sufficient for low -- low intensity office or retail, but inadequate for uses like restaurants, drive-throughs and indoor recreation. To mitigate these concerns staff is recommending restricting these high intensity uses of restaurants, drive-throughs, indoor and arts entertainment and recreation facilities. This approach will enhance the site's long-term viability by ensuring tenants have adequate access for both customers and employees. So, access is proposed off of West McMillan Road, an arterial street, through a single curb cut in alignment with North Palantine Way on the south side of McMillan and this access does require a Council waiver tonight. In addition, the applicant will be extending Lolo Pass Way as a commercial drive aisle to connect with West McMillan Road. However, the Commission recommended this connection at Lolo Pass be restricted to an emergency access only on the north portion of the site and that will be right here. This is the revised plan. You can see a gate that is proposed currently from the applicant. So, tonight we are asking City Council to evaluate whether the connection to Lolo Pass should be open or gated as an emergency access. ACHD staff report anticipated 77 trips per day for the storage. In discussions with ACHD it was also determined 55 trips per day for the multi-tenant commercial. However, since the P&Z hearing the new ITE trip generation manual was used and storage trips per day was revised down to 68 trips per day. So, the total estimated trip generation is approximately 123 trips per day. The applicant is proposing

-- there we go. The applicant is proposing a 25 foot landscape buffer to all existing residential uses. The Commission recommended a four foot berm with a four foot fence on top of the berm to buffer -- to provide a better transition to the residential. The applicant will be proposing an alternative to this with their presentation tonight. The applicant also indicated that they did reach out to the HOA and residents and have heard back from two of the neighbors providing input for their proposal tonight. So, during the Planning and Zoning Commission meeting ten -- ten nearby residents testified with concerns regarding traffic, noise, transition to the existing residential, hours of operation, Lolo Pass being open causing cut-through traffic and height of the proposed buildings. In addition, the neighbors believe the rezone would generate more traffic than the original entitlement of an office park. Here is some of the building elevations that are proposed. So, the Planning and Zoning Commission is recommending approval with the recommendation to restrict access point connecting to Lolo Pass Way as an emergency access only, a four foot berm with a four foot fence on top -- with a four foot fence on top of the berm to buffer the neighboring residential -- residential and consider whether the hours of operation should further be restricted. Since the Planning and Zoning Commission we have received written testimony from Rod Ludlow with concerns over traffic and safety if Lolo Pass is not restricted to an emergency access only. And at this time I will stand for any questions.

Simison: Thank you, Nick. Council, any questions for staff? Maybe one question and I know you didn't create the numbers, but -- and maybe the applicant will touch on this. The trip generation for storage seems pretty high on a per day. Are these certain types of storage units that they expect people to go to multiple times a day?

Napoli: Mr. Mayor, it's a good question. So, yes, the applicant has actually been in contact with ACHD about this and I have been cc'd on a lot of those e-mails. So, ACHD doesn't -- these are larger storage units and typical they are storage condos. So, they are going to be actually sold condos and sold to be used for a variety of different things, but primarily storage for people's RVs, those type of things. So, they are going to be larger units. There is only going to be 41 of them on the site. But ACHD doesn't differentiate the type of storage and the size of the units. So, they just see 54,000 square feet of storage. So, they don't know how many units that's going to be. So, the ITE generation manual just comes up with a standard storage trip generation. I think the applicant in their proposal does have what the revised -- what they predicted the revised trip generation would be for their development, because they have similar developments in Eagle that they have done and they know the trip generation from that.

Simison: Okay. Thank you. Council Woman Strader.

Strader: Thank you. It's always unusual to see a comp plan amendment. We do them certain times during the year. I just wanted to get a little bit of a flavor from -- from staff. I find it a little odd to see a recommendation for a Comprehensive Plan amendment with such huge restrictions on the types of future uses that could go. How -- how is staff feeling about that? What is your opinion in terms of trying to thread that needle? Because that always raises the question for me what other uses haven't we thought of

that could potentially come -- come about in a location like this? And certainly I'm very familiar with McMillan Road and its challenges. So, within that context just wanted to get a little more of a flavor from you.

Napoli: Yeah. Mr. Mayor, Council Woman Strader, it's a good question. So, yes, Comprehensive Plan map amendment -- when we were first approached by the applicant back in April 29 of this year we had a pre-application meeting with them. They were actually proposing all storage on the site, with the zoning being L-O currently and the FLUM being office. Employment, as we all know, is important to the city and it's becoming increasingly more of a -- I would say topic of conversation, especially at the staff level is maintaining that employment and bringing that employment to the city, which is why we had them revise their plan or we made some suggestions and they chose to revise their plan to propose the commercial on the west side with some storage on the east side. So, kind of not even split, but split the site into essentially two different types of uses. Primarily, you know, as far as restrictions -- and I was upfront with the applicant from the get go that restaurants and those type of things, indoor recreation facilities, you know, with the amount of parking they have, even though it meets the UDC requirements, we -- we have had issues in the past, I will just put it at that, with overflow parking going into the neighboring residences, which is primarily what we were trying to avoid here. We don't want overflow parking to go into the residential to where, then, people can't find parking on their street and those type of things. So, that's why restaurants, indoor recreation facilities, drive-throughs, are all things that we were restricting on the site. We typically don't like to restrict through DAs, but we felt this case that would be the necessary for staff -- staff to do to be able to support this application.

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

Jonsson: Good evening. Natalie Jonsson. 2205 West Mace Road East, Eagle, Idaho. 83616. Good evening. Thanks for having us tonight. Nick did such a great job. He always does and he has been such a joy to work with on this project and I'm excited to stand here tonight on behalf of the applicant and go through our Meridian LUXE development and, hopefully, I can add some more context to the questions that already came up as we go through this presentation. Maybe. There we go. Simple table of contents, things that we will discuss this evening. But, yes, our project summary, as Nick outlined, we are requesting the following approvals: Comprehensive Plan map amendment from office to commercial. Rezone from L-O to C-C. Conditional use permit for proposed luxury asset condos. And development agreement modification. Unfortunately, the screens weren't working for the first part of Nick's presentation. So, this might be -- you are fine. This might be new to -- new visual for those behind me, but our project is highlighted here with the yellow outline. I think most of you are familiar with where the project is on McMillan. It is the only remaining undeveloped piece along this stretch of McMillan and you can see we have got commercial on both Linder and Ten Mile and it's highlighted purple, because it's currently designated office. You can still see there is quite a bit of office around as well. This proposed change to the future

land use map designation will expand options for development in Meridian. So, it is currently designated office, which would provide opportunities for low impact business areas. These uses would include professional offices, technology and resource centers and we are proposing the commercial designation, which would provide a full range of commercial uses to serve area resident -- residents and visitors. Desired uses may include retail, personal and professional services, office uses, as well as appropriate public and quasi-public uses. I will get more into those specific users in a couple slides. This I thought was really important to share with Council. The current commercial availability is interesting here in Meridian. So, this is actually something I pulled this morning. I did another search this morning on a real estate website. On the left those red flags are all available office here in Meridian. So, if I were a commercial real estate agent and I was searching for available office space on the left are all of the options here in Meridian. On the right you will find four flags for flex. Four. Three of those are under development. They are not currently available and not -- you couldn't actually put a user in them right now. So, there is one currently available flex opportunity in the City of Meridian as of this morning. So, this is the Meridian zoning map. Again our project is highlighted there right in the middle. You can see the L-O designation. You can also see the L-O designation off Linder and, again, Ten Mile and, then, the red is sort of that commercial on both sides. The proposed change in the zoning designation, again, will expand options for development. The existing zoning designation is that limited office and we are hoping and requesting the community business district. This just gives us a larger scale and broader mix of retail office and service uses. So, I don't stand here today and tell you what Meridian needs, but I kind of want to make some suggestions. We are growing rapidly. You are all aware of that and retail vacancy in Meridian is extremely tight. Reports show retail vacancy is less than one percent in Meridian and rent rates are rising, so that combination points to an unmet need for quality neighborhood shopping and, then, I also think last mile logistics and flex use as we described in earlier slides there is a need for this, something close to home with regional manufacturing and tech expansions and a growing consumer base demand for last mile logistics and flex is rising, as, obviously, I shared earlier from the demand in the market. Expected users. So, hopefully this helps. These are current small flex businesses that have gone in in the last 12 months. So, these are users who needed somewhere between 1,000 and 3,000 square feet. So, you have got Kitchen Tune-up, which is a small business owner who brings cabinets in, re-faces them, has a showroom up front to show the rehabbed materials and, then, their storage warehouse is in the back. You have got an interior designer. Again showroom in the front and, then, all of the storage with the palette racking in the back. A beer wax manufacturer. Comic books and games. Hardwood floor installer. Promotional products. Chiropractor might be one of those small business uses. There is, you know, one provider in there and they have got two rooms. You can serve one or two people at a time max. So, those are some of the proposed users -- or users we are finding right now out in the market for those small flex condos. Conditional use permit request for our luxury asset condos. I think I heard that we didn't love the word storage. So, ta da, here is something really fancy to confuse you, but we will call them luxury asset condos and the integration of these condos aligns with Meridian city goals, fits the zoning intent, benefits the community and it will be well managed. We can speak to that, because we have done

similar projects in Eagle. So, we can attest to that. These are owner user asset condos, meaning those who buy it are the ones using that condo. Serves local businesses, hobbyists and contractors. Architecturally integrated with the surrounding uses. Will have those flex -- or, excuse me, those -- yeah, those flex units on the west side married beautifully architecturally with a luxury asset condos on the east. And why it fits. Compatible use, low traffic, low impact, quiet operations. We want to support small businesses, local ownership and investment and we do believe that it will be visually appealing on McMillan. This is the 2003 approved site plan. So, as is this is what was approved in 2003 with those very small office buildings. I would like to point out the two access points off McMillan and, then, they join and do give that cut through into the neighborhood. I just want to point that out. We didn't design it that way, but this is the way the city has it already mapped out. So, this is the 2003 approved site plan that we were working from. This is the proposed site plan that we originally presented at the Planning and Zoning meeting and, then, today this is the one that Nick shared earlier, which is our newest proposed site plan and we will get into some of the details of this as we go. Renderings. You have seen these, but we do believe that they are beautiful and the luxury asset condos as well. All right. Neighbor concerns. We are very committed to making sure that the neighbors are happy with what we put here. We have heard and listened and hopefully we have addressed all of their concerns and we want to speak through them here. So, parking -- the initial proposed site plan -- Nick did go through this, but initially we had 55 spaces, which, again, already exceeded the minimum parking requirement. Our engineer added six additional parking spaces, as you can see highlighted in yellow. So, that new total brings us to 61. Another concern was the privacy and the compatibility. So, to ensure clear separation between the uses we propose more mature landscaping as it comes available. We want to install landscaping that is bigger, more grand, not small saplings. But, again, we want to install those as they become available to create more of an immediate buffer for the residential neighbors and, then, there is an existing fence. We want to keep that combined with the landscaping. We think that will provide a visual noise and visual buffer. So, we want to protect the residential character and have a beautiful project. And also the traffic. I'm sure we will hear more about this from -- from those here in the audience, but we want to talk about this. The question came earlier about the traffic study. So, the traffic study that was done estimated 132 daily trips. Now, that takes into consideration a 90 square foot storage unit. So, if our square footage were cut down or divided by those 90 square feet, that gives you that 132 daily trips. But we are only proposing 41. So, really, we are taking up a much larger footprint per condo, which reduces the number of trips per day by those users. So, we are proposing those condos and traffic should be only about six trips per day attributed to those luxury asset condos. There is only 41 of them, as opposed to -- shoot, I can't do the math off the top of my head, but a considerable number more if they were only 90 square feet. And, then, as mentioned by Nick and it's here at the top of my screen where the connection is from our project into the neighborhood. We have designed this so we can put a gate or a traffic barrier -- barrier if City Council chooses not to allow through traffic via Lolo Pass Way. These were the requested revisions. These are things that Nick wanted us to be sure and address. So, one, the applicant shall install a four foot berm with a barrier that allows trees to touch within five years of planning -- or planting in the landscape buffer adjacent

to the existing residential. Number two, revise the ten foot multi-use pathway to eliminate the meander and make it straight per ACHD's conditional approval or conditions of approval. And, finally, revise the fencing to provide eight foot closed vision fencing along the perimeter of the storage area where the buildings are not present. So, we will tackle this one at a time. And the request -- the requested landscape revision -- again I spoke to it -- or at least described it on the first slide. The applicant shall install a four foot berm with a barrier that allows the trees to touch within five years of planting. Here is our proposed condition. We propose no berm be required and that more mature landscaping be installed as available to create a more immediate buffer. And we will talk about why. You can see this visual and I will take it along to the next slide as well. Here are the considerations. Settlers Irrigation District owns and operates the pressurized irrigation main line located within the project site. So, down here you can see this very small circle and this is an existing pressure irrigation main. So, we have worked with the Settlers Irrigation District and they will not approve of the berm encroaching on their easement. So, that was news that we received today. If we create that -- that berm it would create an additional three feet of material. So, if they needed to get down to that irrigation main they are -- they are working through an additional three feet of land to get there. So, they will not approve the berm in their easement. So, that's one consideration. Also 25 foot buffer is too narrow for a three-by-one berm slope and would push storm water onto the neighboring properties. So, you can see at the top of that berm in order to make that three-to-one slope you are directing water immediately into the neighbor's yard and, then, immediately into the base of our project. In neither case is that a good idea. So, that's our concern about the four foot berm. It also violates drainage and building code requirements and, then, lastly, the two and a half foot space between the easement and the barriers too tight for proper landscaping. Only small deciduous trees would fit leaving neighbors seeing the trunks and the bear -- and the barrier instead of screening. So, keep all this in mind as we move to our thoughts. A swale, a shallow gently sloping ditch, this is designed to collect, carry and absorb the storm water. It's used to move water away from the neighbor's property and away from our buildings. It will slow the runoff and it will help soak up all of that water into the ground. And, then, we would like to retain the existing barrier, the fence that's already there to the north and as I mentioned several times, add mature plantings. We want them to rise above the sight line. So, the existing five foot fence that's there we want to put in landscaping that they will actually see above the fence and not plant anything that they wouldn't see. How much time do I have left or am I done?

Simison: That's it.

Jonsson: Done. Okay.

Simison: Any last -- any last statement?

Jonsson: None at all. But I will stand for questions.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Hi. I guess a couple -- a couple of things. So, how do you feel about the restrictions in terms of future uses on the site? And, then, another question I would have would be -- just a detail, but how would you define mature plantings to ensure that we get the outcome that you are recommending?

Jonsson: Sure. First part of your question. I feel okay about the restrictions. I think if you were to allow a recreational use, a restaurant use, a drive through, you are only causing problems for the user. So, it does us no good to even allow a use like that when it really will hinder them in the long run anyway. You will have unhappy customers if they can't park. We are not looking to upset the neighbors in any way. So, I know based on the feedback, the interest that we have got from our other luxury storage project in Eagle, you can't have a small business in a storage condo. So, what we are finding over there is we are selling those storage condos that -- there are an exceeding number of businesses that need a space similar to a storage size condo, but they cannot operate out of a storage condo, which is why we have an incredible number of leads; right? Or people who we could put into flex if we had it. But there is no flex. So, we actually know that the demand is there and there is no place to put them. So, these small businesses are turning to a storage unit trying to make that work and, then, we are having to tell them that you can't operate your business out of the storage unit. Hopefully that helps. And, then, the second question. Man, that's why we hire professional landscapers. I can't even pretend to speak to the kinds of trees, but what we are proposing is landscaping mature enough that it will be seen immediately above the five foot fence, so that it would be blocking or at least, you know, creating a barrier between the neighbor's view and our buildings and, then, as was proposed earlier requested of us is that that -- those trees within five years would be touching. Does that help?

Simison: Council Woman Strader.

Strader: Yeah. I guess it's kind of helpful. I guess -- I guess some concerns I would have -- and I just thought of one more question -- would be how do we ensure that those plantings get to where they need to be in five years? I'm just worried that you are basically building a ditch and the mature trees may not be available and you are going to plant some little saplings that aren't going to achieve what we want. So, I guess maybe if you could talk more about that and that's why I was kind of pushing you for a definition of that. Could you also touch on the expected users? Are those expected users for this site specifically or were those just like comparable types of users?

Jonsson: That's a great question. Those are comparable users. I don't believe anything in Meridian is being marketed right now, so I personally am not right now gathering users for Meridian flex, but that's what's in the Treasure Valley. That's what's happening right now. And if they couldn't be in Eagle or they couldn't be in Middleton,

right, it's -- they are going to go wherever the flex is available, because most of these users don't have an option, they can't be in storage and they are -- they are too small for industrial. So, that's what the flex is designed for. It's a really beautiful meeting in the middle of an industrial use or need and a condo, which can happen. Also these small businesses can't afford oftentimes to be in retail. So, that's really why flex is sort of a sweet spot in commercial real estate. I might have to defer to Mary, perhaps she can speak more to the landscaping. I wish I could -- could offer more, but I don't know that I can give you specifics. I apologize.

Parsons: Mayor?

Simison: Yes, Bill.

Parsons: Council, if I can help put some things in perspective for Council and this topic in particular. Our code requires any deciduous tree to be a minimum two inch caliper and any evergreen to be six feet in height. So, if it is the Council's desire to want more -- more mature landscaping to go into that site I would recommend that they agree to put in four inch caliper trees or six inch caliper trees or eight foot tall evergreen trees, whatever those species are. I think that's the better way to get to the outcome that we are trying to achieve. Just give us more than what the minimum code requires is probably my ask. And, then, a couple other clarifying remarks that I heard. I don't want to take the applicant's time, but hours of operation. I know Nick touched on that. This property, if -- if the rezone goes through the hours will be capped between 6:00 a.m. and 11:00 p.m. That's in code. If the applicant wants to -- if the Council wants to be more restrictive than that I would recommend you add a DA provision to -- to restrict those hours even further and, then, as far as the gate that the Commission added, I would just -- although we want to be sensitive to the neighborhood and be cognizant of that, I just want to remind the Council that McMillan is a busy arterial, that office park was intended to serve the neighborhood as well and if we keep closing off accesses from the adjacent neighborhoods we are forcing people onto arterials to get to businesses that we want to thrive and function. Yes, they could access it. They can walk to it, which I don't think the applicant is proposing to close off any of the pedestrian connectivity, but it -- to me when I'm looking at this development and what the Council's intent was back in 2003, it was that it was supposed to integrate as part of a PUD as part of that Lochsa Falls neighborhood and be a -- that employment element to that neighborhood. So, just keep that in mind as you deliberate on this project.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Thanks, Natalie. I'm a big fan of the flex space. I agree it provides a lot of opportunity. The question I have -- I didn't see too many different versions of renderings, but with the flex space is there going to be any access to the rear, like a large roll-up door or -- I didn't really see that in any of the renderings I looked at. So, I

wonder if you could tell me kind of the actual design the front and the back side that would be adjacent to the properties.

Jonsson: Yes. Let me just pull this up. So, some of these units could have a roll-up door. We are not proposing that all of them do. We want them to look more like storefronts, especially the side on McMillan. We want them to all be glass. We want them to look very much retail. But these flex units can absolutely have one single roll-up door. There is no access you can see to the rear of these buildings, so there wouldn't be any traffic or any parking or any automobiles between the buildings and the -- and the residents.

Taylor: Yeah. Mr. Mayor, quick follow up.

Simison: Councilman Taylor.

Taylor: That's -- that's helpful to look at this, because that was kind of my question. Sometimes with flex space you almost want to design it where there is a -- you know, access to front and the back, so in case you are -- you know, whatever you are bringing in, if you need it for -- more for storage and you just have a small office footprint up front. It looks like from this it's all inward facing and the access comes from that, even whether or not -- for the access. They are going to be accessing it from the front.

Jonsson: That's correct.

Taylor: Are you -- have you settled on a design of what that looks like in terms of -- you said maybe some of them would have maybe a large door. Are you envisioning a concept where you maybe have a large roll-up door and an office space door or --

Jonsson: Yes.

Taylor: -- is it kind of a build to suit depending on what you think you could best market it as?

Jonsson: We definitely would not do a build to suit. We want -- we would want it to be uniform. Obviously we would have to get through the design review with Meridian city to find out exactly. My -- if you are asking me I would love a beautiful glass roll-up door and a glass man door, so that you can access the space -- or your customers can through a regular retail feel, but if the user decides that they need the roll-up door to pull in their equipment or their vans or their storage or their furniture they have access that way, too.

Taylor: Mr. Mayor, one more question right now.

Simison: Councilman Taylor.

Taylor: So, if -- if we don't require there to be a gate and you can envision this being an access point from McMillan back in -- McMillan back into the neighborhood, I see parking along the road -- the -- sort of this access point. Tell me what that looks like. Is that kind of a road? Does it look more like a driveway? Is that -- is it -- I'm trying to get a sense that people would actually be using it to get through it and how do you feel about that?

Jonsson: Yes. Yeah. I appreciate the question and I wasn't able to address it, because I ran out of time. But I love this question. The -- we engineered this project and that drive aisle so that if it was kept open -- if the gate was not installed it would require a driver to slow down, as would the parking along that east side. So, if someone's using this to come off McMillan and enter the neighborhood it would actually require them to slow down quite a bit. So, they get through our commercial project and they are taking that hard left and, then, again, sort of a hard right to get on to Lolo Pass. So, we want -- I shouldn't say we want. We have designed it so that it can absolutely cut through to the neighborhood. The gate is completely up to City Council, whatever you choose, but we did design it so that it could not be a straight shot and would not be a quick way for someone to get through and cause more trouble in the neighborhood. Did that help? Yeah. Thanks.

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: Natalie, just while you are on this slide and, again, talking about that drive, it looks like there is probably ten parking spots on the east side between the flex space and the condos. Who -- who would use those -- those parking spaces if the access to those four flex buildings is from the west side of those buildings? Or is the access from the east side?

Jonsson: So, the access is all going to be from that interior parking lot. So, that would be overflow. Yeah. Customers -- if I had a business there I would probably require my employees to park back there, allowing, you know, more customer parking up front. Yeah. So, it's designed for the flex.

Whitlock: Mr. Mayor, follow up?

Simison: Councilman Whitlock.

Whitlock: And, then, as we align that drive with the street across McMillan -- Palin -- Palantine?

Jonsson: Uh-huh.

Whitlock: Something like that. I guess I'm just a little concerned. I worry about being able to make a left turn coming out of here and going eastbound. I worry about traffic

coming on McMillan and, then, trying to make a left turn into this. I recognize that the trips per day are probably not huge, but when you have one or two or six or ten or 20 --

Jonsson: Yeah.

Whitlock: -- it can be a problem and I -- what are your thoughts on how we avoid that -- that kind of problem there?

Jonsson: I'm not sure exactly how to avoid it. I can say that I know the owner Kelly Fulfer has lived there. How long? Forever. And, you know, operates a -- maybe doesn't operate his business out of there, but has very large trucks that come in and out of there all day every day. So, I understand your concern. I don't know -- I don't know how to mitigate that. I know that Kelly's made it work for his personal residence, as well as his business. So -- gosh, I wish I knew how to better answer that.

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: If I look at Google Maps -- I think it's Joy Drive or something. Is that the access --

Jonsson: Yes.

Whitlock: -- to that property? Again, it's -- it's not aligned with Palantine to the south, so it's offset a little bit. I'm just worried about compressing everything into that -- into a new intersection on McMillan, which is very difficult for that traffic load.

Jonsson: Understand. I might need to have Mary come up and speak. Yeah. I think ACHD is the one that put it there and aligned it with the entrance directly across the street. Thanks, Mary.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Just looking at my little map here, too, just to the west, right, we have Goddard Creek Way, which is, I don't know, maybe 200 feet, 300 feet -- and maybe this is a question for staff even. If we are looking at whether or not the decision tonight is to include a gate to the -- to that Lolo Pass -- that's if I got it right --

Jonsson: Uh-huh.

Taylor: -- but, yeah, just a couple hundred feet to the west you have a road right there. That's -- I mean you have two houses between where Lolo and Goddard Creek Way is. So, to your point about sort of originally this space was designed to integrate well, if we

decide to have a gate do we still not have just as good access from McMillan Road, kind of back into the neighborhood off of Goddard Creek Way? And I -- I can think maybe I'm going to -- I'm looking at Bill to see if -- if there is any insight on -- on -- or, you know, Nick, on whether or not -- I'm kind of looking at that map wondering do we actually need that access point, because we have a spot 200 feet to the west.

Napoli: Mr. Mayor, Councilman Taylor, so, yeah, you know -- as we know traffic is -- is hard, in-fill is hard, these type of projects. As far as -- if it was -- if Lolo Pass was closed could people go down Goddard Creek, get onto McMillan and turn into here? Yes, they could. I think the intent behind the Comprehensive Plan and the code for having these streets go through and connect is so people do not have to go on to arterial roadways to get to these places, to keep more of the traffic off of McMillan, you know, and hear any, you know, concerns from the citizens. I -- I understand their concerns of cut-through traffic. You know, McMillan especially with Ustick closed right now it's busy, but as far as could they go down Goddard Creek and turn into this -- turn into this? Yes, they could. But a left-hand turn on McMillan as it is right now is difficult. It is possible in the future that this property does become restricted to right-in, right-out once McMillan is widened. So, you know, that's something that we will know in the future from ACHD, but that is a possibility, so --

Simison: Council, any additional questions for the applicant? Okay. Thank you very much.

Jonsson: Thank you.

Simison: Mr. Clerk, anyone signed up on this item?

Johnson: Yes, Mr. Mayor. Brian Burnett. And Penny Fisher.

Simison: You want to come on up. And state your name and address and be recognized for three minutes.

Fisher: My name is Penny Fisher. I live at 2382 West Apgar Creek Drive, which is just kitty corner from the proposed site. When it was proposed to us originally it was proposed that the entire site be the luxury condo units and we asked them about the Lolo Pass, because right now it's set for light office. Well, light office, as you know, is usually the dentist, the chiropractors, that kind of stuff. So, business hours, not a lot of traffic going in and out of McMillan. I'm aware of that. What this would require to change to commercial, so -- and we all know with commercial it's more traffic. It's one of the things we can't -- they could propose building this, but the commercial we can't decide what's going to be built. Somebody could be there for a year, change it, that kind of thing. What I wanted to propose and the reason why is -- I understand we need office. It is right smack dab in the middle of an established family neighborhood. There is commercial on both sides. I understand that's why there is so many needed -- meaning like we need to take this into account, this into account, this into account. So, it seems like we have got this awkward situation we were trying to fit stuff into. You

were just talking about Goddard Creek. There are two houses before the proposed Lolo Pass. You go down -- not even in half a mile you have got five access points if you open that up. There is a street just past there of Wild Goose Way. So, if you did close it -- and that's what I suppose -- if we do -- if you do accept it I would like that to be closed for Lolo Pass because of the commercial traffic and, again, you can go two streets down, it is a left onto McMillan. However, if you go down a little bit to Wild Goose that would be a right turn and I'm -- because I'm there all the time that's where I live. That would be -- again if you open that up -- it's five access points within half of a mile. Realistically I don't know, I think that's why I would propose to keep that, so it keeps the traffic on McMillan. Yes, they are saying he has used it for -- it is wide open. It's not put to one arterial point. There is -- it's completely -- it's just -- it's McMillan and, then, a curb -- not even a curb, it's just gravel. So, he can go in and pull traffic in and out. This is proposing it into one spot -- one arterial spot. It's going in, so, again, you have to have a place for it to come out. With light office lower traffic, commercial higher traffic. That -- it would force it into the neighborhood to -- because, if not, you would have to go back onto Goddard. So, I'm asking -- because I bought my home, I did know that it was light office. I did know that -- but, again, I live in an established family neighborhood. We do have apartments right on the other side of us. We do have a 55 and older complex that's there and right -- yeah. With Ustick being closed right now it is. It took me quite a while to get off and I know that is going to be proposed to extend McMillan. I don't know how long. So, again, if this does go through, if you guys do feel that this is -- I do ask that that be closed for the necessity of having a family neighborhood that's going inside.

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

Fisher: Thank you.

Johnson: Mr. Mayor, we have Daniel Fisher. That's everyone that marked they wanted to speak.

Simison: Okay. Is there anybody else present who would like to provide testimony on this item? Or if you are online you can use the raise your hand feature. Come on up, ma'am.

Ballard: My husband and I chose to retire in Meridian because we --

Simison: Please state name and address.

Ballard: Oh. Laurel Ballard. I'm sorry. My husband and I chose to retire in Meridian, because we were living in southwest Boise and we were in the Victory-Five Mile area and they kept putting subdivision after subdivision, development after development, just dropping it -- in-filling, dropping it in there and we had two excess -- exits that we could get out of our subdivision. We couldn't get out of either of them. We asked for a light to be put in. ACHD said, no, that's not in our budget and we finally got so frustrated that we couldn't get out of our subdivision that we moved to Meridian for -- and, boy, when

we moved to Meridian it was like -- this is so nice, because this is a quiet neighborhood. There is not a lot of traffic and you know what's happened to Meridian in the ten years since we have moved. So, my concern is -- I liked the original plan where it showed two access points off McMillan. I don't know why that was changed, but I do say that with all the kids that walk, skateboard, scooter along the road there -- and we have tons of families with school-age children, we do not want Lolo Pass opened up because that will just be a disaster, I believe, for -- for kids. It will be dangerous. And not to mention the fact that it will ruin the tenor of our subdivision that has been a quiet lovely place. I love my neighbors. I love my house. I really don't want to move at age 74, but it looks like what I'm going to have to do if you make this be totally open on Lolo Pass Way and I'm at 5057 North Lolo Pass Way. Thank you.

Simison: Thank you. Council, any questions? We do have a couple people online as well that raised their hands, but -- yeah, just so we know we have iPhone for J. Sergey.

Ludlow: Hi. My name is Angie Ludlow. I live at 2347 West Apgar Creek. I am in the corner of Apgar and Lolo Pass. Our house is -- well, is Lolo Pass. I just want to say how I'm worried about the breakthrough traffic. The -- oh, I can't -- the light at Ten Mile and McMillan gets backed up like crazy and so I'm worried about the breakthrough to, oh, let's get back into our home or subdivision a lot quicker, because they don't want to wait to turn onto Goddard or at this point, with Ustick as bad as it is, waiting to even turn onto the previous street. My mind just went blank. I -- anyway. I -- there is -- this through street. I have -- now I had to change my way of going to work and leaving our subdivision just because of Ustick and I know -- I just worry about the breakthrough traffic is what I'm saying. I really propose to keep it -- a gate to keep it closed, because there will be the breakthrough. Let's get through quicker. The -- I just worry about that. I just wanted to -- if you guys have any questions, because that is our corner, so we know it. Right now it sits -- it is a fire lane. It's a street that was changed into a fire lane, so nobody could park there. So, I don't know what would change that way even, so just my thoughts as I live there. Thanks.

Simison: Thank you. Let's go to our two online folks.

Johnson: Don't have names here, but iPhone 421, you should now be able to unmute yourself.

D.Fisher: Great. Can you hear me now?

Simison: Yes.

D.Fisher: Okay. Great. I will make this -- I will talk a little quick, because I'm looking at three minutes, but I'm in the commercial real estate business myself.

Simison: If you could say your name and address to the record, please.

D.Fisher: Oh. Sorry. My name is Daniel Fisher. 2382 West Apgar Creek Drive, which is the road that parallels McMillan right behind the proposed development.

Simison: Thank you.

D.Fisher: I'm in the commercial real estate business myself and I do understand there is a need for flex space. Flex is great, but if I have flex space for sale, it's only got three parking spaces per unit and doesn't have a rear access roll-up door. That tells me that you don't cram that many flex spaces onto a postage stamp. Flex space is great, but when you have to restrict that flex space down to three parking spots and under the guise of creating jobs, how do you have jobs when you don't have any place for your employees? How many employees do you think you need for one flex space? At least one. At least two. So, then, where do you put the customers? So, three parking spots, no rear access roll-up door, that means too much density for this -- for the flex -- flex space proposed on the site. So, that's what I would say about flex space. I, too, did like the original proposed development before staff forced the developer to incorporate the -- the commercial space on the other side of the site. I think the original concept for all luxury condos was fantastic. The fire lane being closed off -- or it wasn't even closed off. The access point coming from Lolo Pass was going to be restricted to users with a code key entrance. That's fantastic. The only people using that road are the owners of the condos. That's not -- that in my mind wasn't a problem. So, the original concept plan was great. Now, the other thing to remember, if you look back to the original light office concept plan, that -- that access road on the north side of the property was aligned with Ballantyne. Now, Ballantyne is a straight shot through to Horseshoe Loop. That's a full straight street that would have gone from -- from McMillan all the way through to Horseshoe Loop and distributed into the Kelly Creek and the Silver Leaf neighborhoods. Now, with the houses built and not following the original plan, they -- they moved that access stub further west to now the tip of Lolo Pass. Lolo Pass is not a through street. It ends 400 feet north of -- you know, it -- it butts up against -- I think it's Divide Creek. So, that's just a nightmare. You are dumping commercial traffic, delivery trucks, things like that -- you are dumping that right onto Lolo Pass, which a truck driver, what if they get stuck, they are in big trouble. Lolo Pass is not a through street. It's just a little tiny street that doesn't align with what the original design was and so it's got to be closed off for safety. The traffic --

Simison: Your time has expired. If you can wrap up, please.

D.Fisher: Understood. Yeah. The traffic going onto McMillan is going to be an absolute nightmare. It's going to be dangerous and I don't recommend it. Thank you.

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

Johnson: Mr. Mayor, next Sergey M. You should be able to unmute yourself.

Martinovich: Hi. Thank you for the meeting. I have similar concerns and consideration. I see that --

Simison: Sergey, if you could state your name and address for the record, please.

Martinovich: Oh, yeah. Absolutely. Sergey Martinovich and address 2311 West Apgar Creek Drive.

Simison: Thank you.

Martinovich: I could see that applicant took lots of consideration. I do appreciate that there was a thorough work about the berm and the fence. Just some concern and I guess about the McMillan traffic I have. Currently there is already traffic without any commercial space happening here and I think as the applicant mentioned there possibly will be a gate. I think that gate, if it's -- if there will be no extension of the road or like some sort of slow down lane to the -- specifically to that blank space, it will recreate even more traffic that's already existing, because people will be waiting while people will be either turning to the flex or out of it and I agree with every neighbor regarding definitely needs to be taken into consideration to close off. Thank you.

Simison: Thank you. Council, any questions? Is there anybody else that would like to provide testimony on this item? Come on forward, please.

Meeks: Thank you, Mr. Mayor, Council. My name is Scott Meeks. I live at 2393 West Apgar Creek Drive. I'm one of those two houses we have discussed a few times. I would like to just make it understood -- I know it's in the staff report that the fence behind us is really more like four and a half feet, maybe a little shorter. It is not a five foot fence as I heard mentioned. Just want that understood when we are talking about this. I really would like to see that -- you know, talk of the taller fence, that the rest of the houses get extended over for the last two houses in the development. Looking at the plan as it was updated recently, the McMillan-facing buildings don't appear to be very well thought out to me, with access to the front, so they want McMillan facing storefronts, but all the parking is behind them, just as we discussed with the other ones on -- you know, facing Lolo Pass. The overflow for employees as thrown out there. Well, it's ten spaces for 18 units. I don't see employers requiring employees to park there, because there won't be enough. The -- the sales pitch seems -- you know, about this serving the neighborhood. That's interesting, but the support for the pitch sounds like businesses that could be anywhere that are just looking for a place to be anywhere. It's not specifically serving this neighborhood. So, I wouldn't be quite so concerned as staff is about the connection of Lolo Pass to the neighborhood, as well as, you know, the discussion earlier about Goddard -- not Goddard, but Wild Goose to be able to turn in and make the right-hand turn to get in there.

Simison: Mr. Clerk, was that three minutes? That seemed pretty quick.

Meeks: I only have one more quick thing though.

Simison: Okay.

Meeks: The other thing to consider is there is that elementary school just right across the street from this that -- something to think about as far as traffic patterns and time of day with movement. Thank you.

Simison: Council, I think -- I think we have a question. Council Woman Strader.

Strader: Thank you. How would you -- how did you feel about the original proposal? Like how would you feel about this proposal if it was all luxury storage, as opposed to commercial?

Meeks: That -- that is what we -- actually, everybody's really happy about that, including myself when we first saw that one. I like the original plan of limited office, but the -- the luxury storage did not seem like a terrible alternative by any means.

Strader: Thank you.

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

Meeks: Thank you.

Simison: Is there anybody else that would like to provide testimony on this item? Okay. Would the applicant like to come forward to close?

Jonsson: Do I need to state my name again?

Simison: Sure.

Jonsson: Natalie Jonsson. 2205 West Mace Road, Eagle, Idaho. 83616. I'm grateful for everyone who came today to speak and for all of the questions that have come up. I think it's really important that we talk through this, so that when this project happens everyone is happy with the result. I would like to address a couple of things that were brought up. The gentleman on the phone, who is in commercial real estate and talked about flex uses and how he sees the need, one thing that I should have addressed earlier is that users could come in and combine spaces. So, oftentimes these units are designed in a way that someone could come in and their small business only needs 2,500 square feet, so they take one suite and, again, they have got three parking stalls assigned to them -- not assigned, but -- right -- that's their limit. Well, someone may come in -- a user and say I need 5,000 square feet. Well, perfect, same user. Perhaps they don't even require more parking. Now they have taken more of that footprint, they have taken more square footage and they don't require more parking. So, it's one of those things where -- we won't know until we put users in there, but with the restrictions that staff has already put in place we are really sort of putting guardrails on who can be there and -- and hoping to mitigate the parking. Taller fence. We have had it measured. I'm pretty sure it's five feet. I really apologize if we are off on that, but, again, I think the mature landscaping would be the right solution, rather than tearing down a four and a half foot fence to put up a taller fence. We are really hoping that the landscaping does

what we want it to do and create an actually more beautiful barrier than a fence. I think the most important thing for everyone in this room maybe to understand that hasn't been seated yet is that there is no lower traffic count than storage units. There isn't. It is the lowest traffic count that there is. So, with half of this project being that, we are really really trying to mitigate the traffic that the neighbors are concerned about. So, I just want to state that I probably should close with that, because I think that that's the most important thing, is that with half of this project being those storage asset condos, we are truly limiting the traffic. I don't think that the small office -- the limited office would do that and I will stop right there. Thank you so much for all your time.

Simison: Council Woman Strader.

Strader: Yeah. Thanks, Mr. Mayor. Just a couple of thoughts, Natalie. So, to me if -- if making these uses compatible requires closing the, road that is a big red flag for me. That is it's not a complimentary use and I had a question for you -- you know, and I -- our staff is totally doing their job, which is what they are supposed to do. They are focused on making sure we have a balanced, you know, city that has a mix of real estate uses that we are supporting our job base and I totally get where they are coming from and their request makes a ton of sense to me normally to add commercial to a request like this. But just a question for you how. How -- how would you feel about the City Council saying, actually, we think that this LUXE storage is kind of an innovative concept. It's different than normal self storage. We would be okay with going something closer with your original proposal. I'm not saying that we will say that. But how would you feel about that? Are you too far down the path that this is your request or would you be open to kind of going back to just all LUXE storage?

Jonsson: Yeah. I feel like I can answer this with some confidence. Brian Burnett, who is here and if he wants to stand he can. He is the developer on this project and he stood up at our last meeting and said if you want me to go back to my original plan I will go back to my original plan. So -- nod? Yes. Oh, shoot. Maybe not. I could be wrong. But that -- that has -- again, we -- our original concept was all luxury storage condos. So, if Brian wants to stand I will let him.

Burnett: Brian Burnett. 1125 West Two Rivers Lane, Eagle, Idaho. Yes, Natalie is correct, when I stood up here I said we would go back to that plan. I will say this, though, to the city, I'm fine doing the original plan or this plan, but through our storage units in Eagle staff has recommended this before I started selling the luxury units over in Eagle and now there is so much demand for flex where we have these small businesses and we have to say, no, I can't sell you a luxury storage unit, because you are a pool company that wants to store your stuff, but you also want to meet customers here and you can't do that. So, there is so much demand for flex now I would rather keep it like it is, but I am kind of indifferent, because both products do sell, but there is a insane amount of demand for the flex space and it does create more jobs for companies that can have one or two employees meeting with customers and have all their -- you, know all their supplies. So, that's -- that's what I have got. Thank you.

Simison: Thank you.

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: Natalie, thanks. And I'm just going back to the staff report -- and maybe this is a question for staff as they talked about some of the hours of restriction. Sorry. I will get a little closer. If -- if I'm going to buy a luxury asset condo how would I feel about not being able to access that condo for certain hours of the day? Let's say I need to get ready to take my luxury RV or whatever, but I want to get ready and do it at 2:00 o'clock in the morning when I'm available for that, so --

Jonsson: I'm going to let Nick jump in. He was eager.

Napoli: Mr. Mayor, Councilman Whitlock, so while I'm not going to represent what storage condo buyers would, you know, necessarily want, it is in the code for any -- this would be considered a self-service storage facility. We don't have a storage condo section of code. It does fall under this self-service storage and when it is adjacent to residential it's in the specific use standards that it is restricted from 6:00 a.m. to 11:00 p.m. with no deviation, because it's in the code.

Whitlock: Mr. Mayor, follow up.

Simison: Councilman Whitlock.

Whitlock: Are the same restrictions in place in -- for your other facilities?

Jonsson: At Eagle LUXE? No.

Whitlock: Okay. Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: Different line of questioning. Again, I think during the staff report they had mentioned that maybe you had talked to some of the neighbors about potentially removing that berm and some of the feedback that you may have gotten. I didn't hear necessarily any concerns about the drainage proposal that you presented. Tell me --

Jonsson: Yeah. No concerns about that. I think neighbors would prefer not to have all of the rain runoff directed down into -- into their property. So, our proposal seems to be fitting and approved. I think, again, going back to the landscaping that we talked about earlier and we can include or enhance the requirements, but I think that would satisfy the neighbors. No one has stood up really to talk about that being a concern. It hasn't come to us as a concern. I think that we -- we have satisfied that.

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor and Natalie, thank you so much. Great presentation.

Jonsson: Thank you.

Little Roberts: A couple of questions. You just mentioned that you would be amenable to saying like the six inch deciduous caliper pines, so that we have got some clarification on the actual size and someone mentioned that the gate was going to be like accessible to the residents. Was that a -- was that correct or was that a misspeak?

Jonsson: I believe that was in the very original design when it was all storage and I don't believe at all that that's any part of our current plan.

Little Roberts: Okay. Thank you.

Jonsson: Yeah.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Natalie, what does the gate look like on Lolo Pass if we require that to be there? Is this bollards? Is it a gate that who has got the lock? I mean what is -- tell me what that actually looks like.

Jonsson: And, Mary, have we designed one? Yeah. Yeah. And I think that would come up at design review.

Taylor: Can you just restate what she said?

Jonsson: Oh, I'm so sorry. Yes. It would be one of those very attractive long posts with the angle at the bottom. It would be fire restrict -- yeah. Only those who would need access could have access through that gate. The gate has not been designed as of yet.

Simison: Council Woman Strader.

Strader: Question for our staff and maybe just -- I will preface it. Totally get where you guys were coming from with requiring commercial, but at the same time cannot help but feel -- my intuition is that the original proposal with all storage was a much better fit in terms of compatibility with the neighborhood. Oh, sorry. I am sorry and I have to say I love your sweater also, but we do have to keep decorum somewhat. So, please, if you don't mind we won't be clapping too much. But what would be involved -- if they wanted -- if the Council's desire -- I'm not saying it is. Certainly one of us is. But if the Council's desire was to go back to their original proposal, what would be involved in getting an

approval at this point? Like what time would be needed? Would you need plans again? Like how would that work?

Napoli: Mr. Mayor, Council Woman Strader, so, yes, I think before we would want a development agreement and all that I would say an updated concept plan. You know, as far as elevations I think they already have an elevation package that would probably suit that updated concept plan and if you guys did want to see an updated landscape plan I think that's definitely in your purview, but at the very minimum an updated concept plan would be something that we require and I would probably need to amend my staff report to reflect the change in the use, so it is consistent for the record. We can see that. We will have both staff reports on file. It would be the updated staff report that would actually be tied to the DA. So, you know, I think -- and I don't speak for their engineers and architects on how quickly they get us an updated concept plan. I know they have the original one, but, you know, I know we are here -- today is the 9th. We have January -- oh, man -- 6th and 13th. I think the 13th gives us a little over a month. I think it's doable. But I don't want to speak for their team. I know the holidays are coming and if they can't give me a plan that quickly definitely we can adjust that date.

Parsons: Mayor, Council Vice-President Strader, if I could just chime in a little bit. The other -- certainly your purview. You don't necessarily mean to do this, but it's certainly the Council's purview to remand it back to P&Z and get their take on that revision if you deem it necessary. So, that could add an extra wrinkle to everything. The other -- the other caveat is with a comp plan amendment there is provisions in code where the Council can act on those twice a year and so we are getting close -- we are finishing up this year and, then, our next deadline is coming up next week and, then, we bundle those up. So, we have to be kind of cautious of how we handle this -- this Comprehensive Plan map amendment moving forward as well. So, just want to put that on your radar that, again, if it is your desire to continue this for revision, we may have to push out a little bit farther than anticipated, so that we can maybe get that married up with the -- potentially the other comp plan amendments. Don't know how that -- that's all going to play out yet, but it does get a little bit more complicated when there is a comp plan amendment involved.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: But couldn't we sort of say that this is grandfathered in in terms of process? Like I know we have done that before, like the first round of comp plan changes that we did when we were changing the code to make those twice a year. I think we certainly had several projects that had started a process where we, you know, sort of considered it a continuing request. Is there any reason that that approach wouldn't work here?

Parsons: Mayor, Members of the Council, certainly that's -- that's your prerogative on how you want to interpret some of the code, too. I'm just giving you some of the ins and out of how we process these applications.

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor, as we are considering revisiting the first one, do I remember that it had two entries in and out of McMillan and would ACHD -- I know you can't read their minds, but thinking that they may not like that idea.

Napoli: Mr. Mayor, Council Woman Little Roberts, so that was the original here -- and I will pull it up, so we can look at it together. That was the original concept plan back from 2003. I believe the concept plan that we -- it's been a while since I have looked at their original. So, this is a concept plan from 2003. The concept plan that they proposed to us back in April of this year with all storage -- correct me if I'm wrong -- I think it was only one access off of McMillan still. So, yes, to answer your question.

Parsons: Mayor, Members of the Council, the -- I think it's been stated tonight, but there is -- there is too many conflicts on that side of the road. I don't see ACHD supporting two access points to this property. That's why it's in alignment with the existing intersection. So, if that's the purview of the Council tonight, one is -- is what ACHD has approved with this application.

Simison: So, if I can have a latitude just to -- on one component and that's the connectivity element and I just want to make sure I get my -- my general numbers correct, just because I -- what I would want the Council to at least consider is, you know, if this was a residential in-fill piece would you limit access to only go out on to McMillan in this location. So, walk me through this. It's a six acre parcel. Low end residential density. How many homes we put it -- would be put in this area? Eighteen on the very low end, including infrastructure ACHD trip generation is 180 trips a day for 18 homes on the low end -- and I'm not going to say I trust the trip generation numbers, even from what ACHD or ITD of 123, but residential would actually have lower trip generation -- would have more trip generation in theory based on the numbers that were provided. And I get the -- the comments about this, but would we put residential only out on McMillan and not allow them to connect to other residential if this was the case? Is the -- is the trips? Is it the -- what element of it makes sense long term? I guess that's where -- we talk about -- you know, maybe this is under performing. Maybe it will be 500 trips. Now, I can't -- I don't know the answer that question and my subdivision is bigger, but when the Albertsons went in we heard about everything that was not going to happen and, frankly, it's neighbors driving to the store and if they weren't driving left to go to the Albertsons they would be going right to go to Walmart by their other neighbor's house to go someplace else. But connectivity is a big issue and with McMillan being challenged I look at conflict points, you know, and it almost makes sense because of the lineup right across the street that this would be the main one coming in. Now, the subdivision -- the other one goes away, so we had one conflict point that maybe some day could put a light in. I don't know the answer. But when we talk about not allowing connection points to stuff that's very limited, when if it was residential we wouldn't have this -- we wouldn't have this conversation if these were homes in my opinion. So, I will

just throw that out there. Just -- I want to make sure my numbers were correct. And, again, I don't know if I necessarily agree with these numbers. You know, that seems very low. If you have ten businesses with two employees that's 40 trips. Just -- if you are operating a business with only the additional 60 trips I don't know how you are making money at several businesses with that low. So, I think the numbers are low. I will say that personally. But that's what we have to make our basis on what has been provided to us not what we think is going to be there or not be there. So, I will shut up, but I just want to point that out.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: If there is no further question for the applicant I'm -- maybe -- I think we should keep the public hearing open in case we need to have some back and forth. But happy to kick off some discussion. So, just -- as I kind of said, like to me if -- if making this a compatible use that merits a comp plan amendment requires like shutting down access to the surrounding neighborhood, to me that's like the biggest red flag that these are not compatible uses. I do love that song also. Sorry. I feel like the original proposal and -- and just expanding this use and to what they had gone with originally with LUXE storage, I could support here, because this is a very different type of storage to me than we normally see. It's pretty innovative. I also love flex space. I think flex space is amazing. I would just rather have you all build this as one big project that's LUXE storage and, then, work with the planning department to find some vacant land and build a gigantic flex space area, you know, somewhere that makes more sense that's not like right next to a neighborhood. I just -- I can tell just intuitively that if we are shutting down access to make something work we are trying too hard to adhere to some desires for employment, as opposed to just -- I think something that fits better with this location. McMillan is extremely challenging and horrible right now, especially it's an acute pain point, but it's also not something that I foresee getting better anytime soon. We talked about it a lot with the constraints around the canal. It can't be widened easily. So, I personally feel like what the applicant originally came with, which is what the market supported, with all LUXE storage makes a ton more sense. I would love to be able to give them a continuance to come back with their original proposal, maybe an updated concept plan, grandfather them in that this was a request in process and, then, take care of this in early January. That's just where I'm at with things. But just wanted to share some perspective.

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor, I'm inclined to agree with Vice-President Strader that I think that it's a better fit for the neighborhood to go back to all one project and make sure that that is not gated off, that it works for the community -- community as a whole, because I

think the Mayor had a really good point, if that was housing going in there we wouldn't even consider shutting it off and leave that connectivity open.

Jonsson: Can I respond to that?

Simison: Yes, you can.

Jonsson: Okay. I think maybe I just want to clear this up. We are not asking that the connection be shut off, we are just simply creating the opportunity if City Council says that that's the right move. So, I just want to make sure that we are clear, we are not asking for that connectivity to be shut off.

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: I would -- I -- thank you for that and I think that you have done your level best to try to minimize how much traffic and how fast that traffic would move through this property with or without a gate there. You know, the left turn and, then, the right turn on Lolo makes some sense and so if -- if the Council's inclined to ask you to come back with another concept design for this property, I would -- I would want to make sure that there is some consideration given there to minimizing that -- that traffic and designing it in a way that the neighbors to the north don't have a speedway coming through their neighborhood.

Taylor: Mr. Mayor?

Simison: Let's hear from Council while they come up. Councilman Taylor.

Taylor: Yeah. I don't -- I don't know that I have particularly strong feelings whether we stay with the current plan or go back. I wouldn't probably argue either way. I -- I was a -- I have seen a lot of renderings of flex space and what it could look like and to me this didn't seem like it would function quite as well as I would like to see a flex space work within terms of how you would access it just to the front. I think you would -- really having a true flex space would -- I think the layout and the design and renderings would need to be a little bit different to make me feel like it would function at a higher level, but I would really like the idea of having more of this in Meridian. So, I don't have strong feelings either way. If it's something that gets us to where we want to go, if the majority of Council and applicant is okay going back, I'm not going to argue that. If there is a desire to stay the course I'm comfortable with that, too. I think -- yeah, I kind of leave it at that. It sounds like Brian maybe wanted to have some more comments, so I would be happy to hear and entertain that.

Burnett: Brian Burnett. 1125 West Two Rivers Lane, Eagle, Idaho. I just want to mention if we are going back into the original plan, the reason why the neighbors liked it is because we did shut off Lolo. So, if you want me to go with original plan we had that

shut off that is why the neighbors liked it. I don't think -- I don't think they are here today to fight over flex or versus storage or what's better or they go back to storage, they liked the original storage plan because I walled off and made it a gate to where only the users of this project could go in and out of it. So, I just want to make sure that you are not trying to satisfy the public to say, yeah, let's go back to lower traffic count storage, because they liked it because I shut off the road. So, if you are going to leave the road open and we can get their input, I think it's indifferent, that you are -- you are saying the road should be open, because you shouldn't make that modification for a design. So, I just want to be clear on that. They like the old plan, like you like the old plan, but they like it because the road is shut off. Does that make sense?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I think -- I think the nuance -- or I think what's a little bit different is that that type of use to me, if it's all LUXE storage, that's a pretty self-contained use where you have individual users coming in and out. There -- to your point they are not supposed to be operating businesses directly with retail customers out of that space. So, to me that changes things, because we are not looking at, you know, ten different businesses operating in an area with customers coming in and out. So, I'm actually a little bit more open either way. But a question back to you would be do you need to shut it off for this to work for storage? Like do you have to limit access for security reasons? Like is there something I'm missing that it has to be limited access from your perspective?

Burnett: No, I would probably design it the same with storage on both sides, but, yes, it does have to be secure, like the storage units have their own gate in this and they have their own section. So, that's why I did have it gated off for security. I would have to manipulate the design to keep it completely open. I just -- what I think everybody is concerned about is not the trip generation from the flex space and I think the neighbors will back me up on this. It's people cutting through this development to go back and cut off the traffic. So, it doesn't matter what goes here, as long as that lane is open everyone thinks they will use it as a cut through and that's the traffic that's created, not the traffic that anything that we put here is going to create, it's people saying I don't want to go down to the McMillan, I don't want to go down to Goddard and go back into these neighborhoods, I'm going to cut through here, because I'm backed up in traffic. So, regardless of what -- what the city wants or I want here, I don't think it's the trip generation inside of this development that is the problem, it's the cut through that they think everyone is going to access. Does that make sense?

Strader: Yeah. Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. That does make sense to me. And, again, I kind of view cutting off the access a little bit differently if it's this type of use, as opposed to a retail use, because what I would hate to see and I think to planning staff's point is let's say there is a neighbor just a few houses over to the north and they need to access one of these little businesses. Well, it seems crazy that they are going to have to drive all the way around. Certainly you could have a few that are users of the LUXE storage that might happen, but I just don't think you are going to see that on as wide of a spread basis, because you are not going to have -- again, retail businesses to me are very different in terms of what they are going to generate compared to storage. Question for you would be if we were to continue this and we were to ask you to come back with your original -- something -- so, like an updated concept plan that's similar to your original proposal in terms of timing and what would it work for you all -- planning staff had thrown out some dates of January 6th or January 13th. Do those work for you? Do you need more time? I just -- help us understand how that would play out.

Burnett: I guess I would want to understand before we left here what you are asking for. Are you going to allow me to shut off the road or you are not going to allow me to shut off the road? You are going to allow me to shut off the road?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I'm still chewing on it personally.

Burnett: Okay.

Strader: So, I think we have to have a discussion about that. Thank you.

Burnett: Okay.

Simison: And I will just say since I'm -- brought it up a little bit, yes, I mean I don't know any self-storage type spaces that you have a drive --

Strader: Right.

Simison: -- you have a one -- you have a one entrance in, one entrance out. Now, emergency access to be part of it, so you still would have that, but --

Burnett: Correct.

Simison: -- yeah, it's completely different. Now, again, long term I don't know how this road is going to function out here and when you talk about -- how deep are these in theory, if these were all the -- are people putting 45 foot items in here and --

Burnett: Yeah. They are 50 feet long, so the largest motor homes you can buy or put in these.

Simison: Yeah. And so I just have -- without doing radii determinations getting things in and out through other means, if they are -- if this does go right-in, right-out, okay, again, I think people won't mind that if -- if it's really that functioning. But how the road is designed, again, coming out, how does that even function with a 40 foot boat being towed by a semi? Maybe that's not an issue. Maybe it is, so -- but I don't -- I personally don't think the road needs to be there if you are just all storage. But I don't vote.

Burnett: The other storage units are on Highway 16, which is the busiest, going out to Emmett, traffic pattern that you are ever going to see and because the traffic count is so low I wasn't required to improve Highway 16, put a turn lane in or anything. So, McMillan out here has a turn lane in it, I'm building 300 storage units on a two lane road that takes on ten times the cars as McMillan. So, it is the best use for the lowest traffic count. But, again, I don't think the flex space either creates very much traffic. It's -- it's literally just people who are going to use this development to cut the traffic off and get to the neighborhood faster and I would argue that, you know, not necessarily the people who are here, but a lot of those neighbors who live back there are the ones that are going to be doing it, so they can get home faster.

Simison: And, frankly, for where they are going to travel through, other than the two people that live right here, they want to come out right, they are going to turn right on Goddard Way and they are going to keep going that direction. So -- so, that little connection is really not going to stop people from taking that route to go north-south if they -- if they want to, because it's right there.

Burnett: Yeah. I mean we -- we have lots of projects around all of the cities that are surrounding us and I would tell you that I do like connectivity. I mean however many cars that takes off of McMillan helps everybody. I realize that there is children in the neighborhood, so that's definitely a consideration and safety is probably the number one thing, but I don't -- I don't see this being I guess as big of a traffic problem. The traffic actually backs up past here, so even cutting through isn't going to save anybody very much time. So, it's just -- you know, this is how it gets. When it gets to the last piece of in-fill it's really hard because, you know, you have got all the -- all the requirements around you that you are trying to fit in and, obviously, we came with our original plan, we took the city's input and we tried to work with all the neighbors to design the best thing we could, which is the lowest traffic count and, then, we were indifferent. If the city wants to open it or close it it's good. I mean I would like to stick with this original plan, just because it will take me a long time to go back through design and -- and I know what this process takes. Yeah, I would -- I would like to stick with this current plan, especially now that I -- you know, have experience in the flex space and I know that it's even higher demand than the luxury units, you know. So, I would -- I would like you guys to take that into consideration. But I'm indifferent if the road gets closed off or not. I think the amount of users that come in here and the traffic -- we have built 120 units so

far off Highway 16 and I go there all the time and I -- you know, we have sold maybe 25 or 30 of them so far and I have never seen anybody there. I have never seen one of the users yet when I stop by there. So, the traffic count is extremely low.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: I think I'm inclined to agree with that, because the point I was making earlier if you just go a few hundred feet to the west there is an access point that you can -- I have taken that all the way to Heroes Park when I'm trying to get there for a soccer game in the morning and if you look at -- if this road is open you go back there, there is a lot of -- the roads kind of get cut off. There is not -- you are not having a good through way through Lolo Pass, you are really just getting back into these neighborhoods directly behind this development. So, I don't know that I'm -- I'm always trying to be as sympathetic -- sympathetic as I can to this, because I was also someone who lived on a road that was a stub street and, then, they opened it up and that's why I'm on City Council, because I was really upset with that and the truth is I have actually kind of liked it. It's been really nice to have that access to Ustick from where I'm at and it hasn't been the nightmare I thought it was. But I don't think that we are going to see massive amounts of traffic using this stub street. So, I'm getting to the point where I think I would -- I think it's fine to keep it open. I'm not incredibly worried about what that looks like for the neighborhood. Again, I apologize, I know there is some differing agreement -- or perception here, but, again, you look at Goddard Creek Way, that's a real cut through and that's 200 feet to the west or 300 feet. It's not very far away. So, the people that would be using this are likely to be access points to and from. I don't -- I don't really like the idea of trying to go back to the original plan, just because I am a big advocate for flex space and I do think that there is a huge market for that. I would prefer not to try to do that, but, again, I -- if it's the -- the majority of the Council and everyone agrees that we want to do that, I'm not going to try to stand in the way, but I do think -- I prefer what I'm seeing here as a proposal for that. But I -- as we have talked about it I think the way it's designed it's going to really be -- you are not going to use it as a big gateway, it's going to be a convenience for the people behind there. That's how I see it.

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor. Well -- and the more we kind of go over this and talk about the area and things like that I'm kind of liking this a little bit more, because I was originally concerned about, you know, a lot of traffic going through there if we didn't block it off, but it doesn't sound like that will be a huge deal and -- but we have been really focusing on being able to have that connectivity, so I think that is important and this flex space is a little different than what I'm used to with the big roll-up doors, access from the back and things like that. So, I'm hoping that it's going to get more friendly, even maybe some walk through from the subdivision and things like that with products

that people can come in and purchase and not have a lot of traffic. So, the more we talk about it the more I'm also leaning kind of toward leaving it like it is with -- and leaving the connectivity.

Jonsson: Yeah. I just -- I would love to say -- once again it is flex, it's not meant to be real retail; right? So, I think traditional retail would drive a lot of traffic in and out, but the -- the users that typically want a flex space are a very small business owner, they might have one employee, usually that employee is taking -- is on the road; right? They are working throughout the day, they need a place to park their van at night and their materials. So, it's not truly meant to be a lot of customers, but someone who needs a showroom to show what it is that they do for their business, a place to show and, then, a place to ship or, you know, house or store. It's not meant to be traditional retail, but we want it to look that way.

Little Roberts: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I just want to be up front, like I can't support this proposal. I could support something similar to your original proposal that -- if it was all LUXE storage I would be okay with that, but I can't support this approach. I just -- I think it would be a much better fit with the neighborhood. I think I would be fine with closing off access similar to what you had planned originally, if it's all storage, just based on the rationale that the Mayor shared as well. I agree, I don't think we have ever seen kind of a completely -- street completely drive through a storage area, so I think that would be fine. But, yeah, that's kind of where I'm shaking out.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: I just want to restate. Your preference is this plan.

Jonsson: It is.

Burnett: Correct.

Taylor: And staff, Bill, Nick, if you could clarify -- the restriction on operating a business -- a storage unit like this is the Meridian development -- or the -- our UDC, it's not state law or any kind of superseding authority that says you can't do that; am I correct? Is that something that we have imposed in terms of how we want to see the businesses operate and where they can operate, things like that?

Napoli: Mr. Mayor, Council, Councilman Taylor, so, yes, the UDC -- but also building code is a large reason why we don't see it -- the IBC and talking with our building department, it's a totally different occupancy classification to run a business out -- or have a storage unit. Fire readings, all of those things can be different for that.

Burnett: I have got one more question for staff and I don't remember -- my original plan when I was closing off that street would ACH even allow that? Because that was just a concept and I forgot when I met with them it could be possible that they won't even allow us to completely shut it off. Just to clarify.

Napoli: Mr. Mayor, Brian, yeah. So, talking about Lolo Pass?

Burnett: Yeah.

Napoli: So, Lolo Pass -- ACHD and I actually had this conversation with Dawn, who I think is actually online today, because Lolo Pass is actually considered private as of right now, it would not be ACHD's call, it would be the city's, so --

Burnett: Okay.

Napoli: -- ACHD -- it's not actually ACHD owned right of way and unless it was going to be extended as a local street, which it's not proposed to, ACHD would not -- would not be their call I guess or their -- their take.

Burnett: Thank you.

Parsons: Mayor, Members of the Council, if I can just -- I know Council President Cavener isn't here, but I know a couple -- I want to say a month or so ago we were in front of you with a similar proposal where they were doing these condos off a Ten -- it was a project off a Ten Mile. They had a private street going into it. The back half was storage. The front half we said, hey, would you be -- mind doing some kind of multi-tenant industrial and during that hearing Councilman Cavener asked us how much storage is too much storage and so he was thankful -- he asked staff that question, do you guys -- what's your opinion of storage and I think Nick did a great job of kind of answering that question for him. But there is quite a bit of storage in this area and that is one reason why when we met with the applicant, we are like -- we are hearing the same things you hear often. We need flex space. That's -- guys, that's why you have been so supportive kind of in the temp -- and I know context is everything. Where the property is located makes a difference. I get that. But we are hearing that more and more from our developers that we need this small bay industrial, lack of a better word, but in our -- in our world it's flex space. So, I'm not trying to sway you one way or the other, I'm just giving you context that this area does -- is saturated with storage currently and we made the same argument three months ago that if we are going to give up some storage -- we are happy to do that, but we want to see a mix of uses and I think the applicant has indulged staff in this particular case and I know the previous applicant that was before you three months ago did the same thing. They saw some value in it as

long as they could still have a smaller component of storage. So, again, just kind of give you the -- where we landed and why we got to this revised site plan with the applicant.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Unless there is -- sorry. Thank you. Your final comments. We are probably at a point where we close the hearing and make a decision on that. So, if the -- if you want to have any closing comments or questions that we have raised that you haven't had a chance to answer, I -- I would welcome any -- addressing any of those questions before we close the public hearing.

Burnett: No further questions.

Jonsson: Thanks for your time.

Simison: And what -- I'm assuming -- because I know there is people that have been trying to raise their hand, but because it looks like Council is going to act on the application that's presented -- at least with the -- closing the public hearing that's what that's indicating. We are just going to move forward with that at this time. The only thing I didn't notice, but I was trying to see where the conversation was going to go. So, Councilman Taylor, do you have a requested motion?

Taylor: Yeah. For a motion I move we close the public hearing on File No. H-2025-0035.

Little Roberts: Second.

Simison: Have a motion and a second to close the public hearing. Is there 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.

Simison: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: I think I kind of shared enough of my thinking on this. Again we will say in-fill is hard. It's really challenging. I agree with sort of the -- as a city when we look at what we want to see -- you know, I appreciate the staff working with the applicant, because we do want to see more of this. This is -- we had this discussion even when we were modifying some of our -- our own requirements about, you know, what qualifies for flex space and things like that and we were all big advocates and wanted to work to ensure

that we are doing more to incentivize and bring more of this flex space forward. I think the application is -- in my estimation I'm satisfied with what we have. I -- with what was presented with the flex space and the storage. I would not be inclined if -- I were to make the motion to -- I would keep that access way open. I wouldn't restrict it. And, again, I don't really -- if Council wants to have the applicant go back -- if they -- if it's not approved tonight and have them come back with the original plan, I'm not going to die on that hill, but I think if this is what the applicant wants to see, there is a need, I could support that. So, I'm -- I know there might be some more things to be shared by Council, but that's kind of what I'm thinking right now. I'm inclined to make a motion to approve it with a few small changes from what's in the staff report right now.

Napoli: Mr. Mayor, if I may chime in. If you guys are going to be acting on this application tonight these are just some DA provisions and conditions in question that I wanted to go over with you guys real quick. I know the applicant didn't finish up, but these are things that the applicant shared with us in a response to our staff report since the commit -- with our Commission recommendation. So, DA provision H, that's regarding the four foot berm with the four foot fence that Commission recommended, the original provision you are seeing up here is what we recommended. Commission recommended a four foot fence, instead of trees. So, I guess it will be your guys' purview if you want to amend that to the applicant's request of more mature landscaping, provide ten foot multi-use pathway, so -- ACHD typically doesn't allow pathways to meander. However, I did get the -- I did get cc'd on an e-mail that gave them the okay to meander it here. So, we would -- I would ask you if you are going to approve it that we allow that, because there are some Idaho Power powerlines out here that they are actually going to meander around, so they don't have to move those power lines. That was something the applicant asked of us. Condition 2.6. The fencing., So typically around storage we require eight foot fencing. The code does allow it to be reduced down to six feet -- six -- between six and eight, essentially. We typically go with eight. The applicant is asking for it to be six. And, then, a DA -- if you guys are going to restrict access I just ask you that you put that as a DA provision.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: If I could just clarify something you said. If we don't want Lolo Pass to be restricted there is no -- nothing that we -- we need to do tonight.

Napoli: Mr. Mayor, Councilman Taylor, so Commission did recommend that it was closed. So, I would just like in your guys' motion that you clearly state whether you would like it open or closed and if you do want it closed we would need a new DA provision, that is correct.

Whitlock: Mr. Mayor?

Simison: Councilman Taylor -- sorry. Whitlock.

Whitlock: Thank you, Mayor de Weerd. Appreciate that. Mayor and Nick, it was -- was there also a waiver that was needed for the access point?

Napoli: Mr. Mayor, Council -- Councilman Whitlock, yes. Thank you. Yes. The access to McMillan does require a Council waiver as well tonight. So, thank you for that. I appreciate it.

Taylor: Mr. Mayor, I think there is -- unless there is any more discussion, I'm going to take a shot at a motion with some of these changes.

Simison: Councilman Taylor, you are recognized for such motion.

Taylor: You might have to help me limp along here. So, I make -- I move that we approve File No. H-2025-0035 with the following provisions: That we allow the applicant to reduce the four foot berm, but, instead, insert more mature landscaping, the trees with eight foot -- eight foot trees and the six -- what did we call it? Six inch caliper trees for more mature. That we allow the -- Condition 2.5 that we allow the pathway to meander to accommodate Idaho Power utility poles and easements that they need to do their work. That Condition 2.6 we require an eight foot fence and that we open -- that we allow for the roadway, Lolo Pass, to remain open and that the waiver -- remind me what the waiver was that you needed for ACHD.

Simison: McMillan access.

Taylor: Okay. Yeah. That's what I thought. The waiver for access to McMillan Road. That we keep the hours of operation as currently stated with 6:00 to 11:00 p.m. and that we rezone this from L-O to C-C. I think I got it all.

Little Roberts: Mr. Mayor, clarification -- clarification.

Simison: Clarification.

Little Roberts: Eight foot fence reduced to a six foot fence?

Taylor: No. I want to keep an eight foot fence.

Little Roberts: Thank you. And I will second.

Simison: I have a motion and a second. Is there discussion on the motion? Okay. With that clerk call the roll.

Roll Call: Cavener, absent; Strader, nay; Overton, absent; Little Roberts, yea; Taylor, yea; Whitlock, yea.

Simison: Three ayes. One nay. The item is agreed to. Thank you very much. Good luck on the project and hopefully it makes the area function appropriately.

MOTION CARRIED: THREE AYES. ONE NAY. TWO ABSENT.

**10. Public Hearing for Cherry Blossom East Subdivision (H-2025-0030)  
by Breckon Land Design, located at 523 W. Cedarbug Dr. and the 0.67  
acre property to the east, located in the NE 1/4 of Section 12, T.3N.,  
R.1W.**

A. Request: Combined Preliminary and Final Plat consisting of three (3) building lots and one (1) common lot on 0.79 acres of land in the R-8 zoning district.

Simison: Council, do we need a break or are we ready to just move on to the next one? Okay. All right. All right. With that we will move on to Item 10, which is public hearing for Cherry Blossom East Subdivision, H-2025-0030. Open this public hearing with staff comments.

Parsons: Thank you, Mayor, Members of the Council. Next item on the agenda is the Cherry Blossom East Subdivision, again, another in-fill project. You probably had a chance to look at the public record and see that we have gotten quite a bit of public testimony on this particular item during the Planning and Zoning Commission, but as it transitioned to City Council I noticed there were two additional pieces of public testimony in the record for this evening's discussion. So, you can see here that the subject site is currently annexed and zoned in the city. In 2018 the City Council did approve a rezone and a preliminary plat for this particular project. In 2019 the applicant moved forward with first phase of that -- that project, but this piece was left out, because they were working with the city and the adjacent property owner on some access issues and so during that time that they weren't able to get a time extension in place quickly enough and so the project has expired and so we are back in front of you this evening proposing a plan that is consistent with the recorded development agreement. So, you can see here on the Comprehensive Plan, the future land use map, it is medium density residential on the city's Comprehensive Plan, which we anticipate residential densities between three to eight dwelling units to the acre. This project comes in a little over three dwelling units to the acre, which is consistent with that FLUM designation. You can see primary access to the site is off of Northwest 4th Street. Again, you can see the one existing residence that is in front of this particular property. That was the access in question at the time that this was in front of you in 2018. The applicant has worked with city staff, our city attorney's office, and got that issue resolved. They have determined that there is legal access across that property to this particular project. So, that is no longer an outstanding issue for this -- this property. So, the applicant is here tonight to subdivide this property from one lot into three lots and the acreage is 0.79 acres in total. You can see the primary access serving this is a common drive. That was part of some of the other contention with this particular property is adjacent to this property directly to the south is an existing 11 foot driveway that the two property owners currently use. Now, there was a record of survey that was established in the early 2000s for a 30 foot access easement to those particular properties. However, they only built an 11 foot driveway. They did not build a full 30 foot width that was allowed under that record of

survey. We have met with our Fire Department, they had confirmed that they are allowed to continue to use that driveway. There are no issues as -- as far as the Fire Department is concerned for access to their home. But this particular driveway will abut their driveway. So, although they don't have access to drive on that adjacent driveway, they do have a full 20 feet per city code. So, they will be side by side, but no one has the right to use either driveway, which makes this a unique situation tonight. But good news is sewer and water issues have been resolved and the applicant has worked with our Public Works Department to get that -- that figured out as well. You also note on this particular plan -- it's hard to see here, but there are existing power poles -- Idaho Power poles that are on the site, one here, one here, that pinch that common drive or that -- that access drive into the site from 20 feet to like 19 and a half feet. I don't know the exact measurement. I'm sure the applicant will share that information with you in their presentation as well. So, essentially, these lots meet the R-8 dimensional standards of the code, which the minimum lot size is 4,000. I believe these exceed the minimum 4,000 square foot requirement. Because this site is under the five acre threshold, open -- common open space is not required for this particular development. One of the outstanding issue -- not really an outstanding issue for the Council, but one of the items that was discussed at the Planning and Zoning Commission was the irrigation for not only the first phase of the development and this particular phase of the development. Applicant went in full length and detail at the previous Planning and Zoning Commission hearing. They did note there is some deficiencies to that current system. They agreed on the record to fix those deficiencies and both subdivisions should have adequate water rights and should -- the pump is adequate to serve both developments is what came out of that hearing. Other issues -- or whether or not this would be a standalone HOA or joined with the previous first phase and the neighborhood -- the neighbors in the current phase -- the first phase do not want this to be part of the HOA and the applicant has agreed to meet those terms as well. So, everything that I'm discussing before you this evening has been addressed in the staff report and the conditions of approval. So, there really is nothing for you to take action on this evening, other than the applicant's request for the three lot subdivision. As I mentioned to you, did receive some public testimony. This -- today. Primary concern seem to be the power poles and -- and, then, access. Again, some of the southern property owners are still concerned about how trash -- trash and emergency services will get to them with that sub size driveway. I think the applicant can also share some of that information with you as well. You could probably see neighborhood concerns discussed at the Planning and Zoning Commission. Again, traffic, irrigation as I mentioned, access to the development, guest parking. So, this does not have access to a street. So, again, the applicant intends to develop these homes consistent with the parking standards of the code. Trash and emergency vehicle access for that adjacent southern property and, then, obviously, the homeowners in the Cherry Blossom first phase want the developer to turn over the common lots to them and they want to manage -- control their -- their subdivision moving forward. Again, the applicant's been working with the developer to make those things happen and that has been conditioned in the staff report. So, to staff's knowledge there aren't any outstanding issues for you this evening and I will happily stand for questions you may have.

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

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Bill, kind of followed some of the discussion about the irrigation and the pump being a little bit insufficient. Just kind of help me -- a third party needs to validate that the pump can service both the new -- the three homes and the existing homes on the HOA; is that correct?

Parsons: Mayor, Council Member Taylor, that is -- that -- that work has been done.

Taylor: It has been done.

Parsons: That has been done. Yeah. I left that in the hearing outline so you guys can kind of be purview to some of the things that transpired. But, yeah, that was part of the public testimony during the Planning and Zoning Commission where the applicant met with the pump company on site, they -- that's why I say -- and they would -- they determined there are some upgrades that need to happen. That will happen and, then, that person certified that this system can adequately serve both developments. So, the odd part is -- is the pump station is going to be on a common lot in this subdivision. So, access from that development will have to come down the common drive and get to it. So, if you look at my cursor here, the existing pump -- irrigation pump station is located here at the end of the common drive.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: So, just to make sure I'm tracking. So, that pump station will serve both, but the community to the -- the west to access the pump has to come around the block or so and access it this way.

Parsons: Mayor, Members of Council, Councilman Taylor, that is correct. They will have to go out of the neighborhood to get to this particular pump, unless Council wants them to provide their own. But I -- again, I think -- at least from the information that I have heard and the documentation from the applicant that they presented it seems like this -- this can work well for both developments and that is written as a condition of approval that they certify that make sure that it works.

Simison: All right. Will the applicant like to come forward? Good evening.

Davis: Greg Davis. 6661 North Glenwood Street, Garden City, Idaho. 83714. We have a presentation. Thank you. So, Bill stole my thunder on most of this stuff here, but I will add a little detail. Can you put it in presentation there, Bill? Okay. Thank you.

So, a little bit more on the history of this. Bill covered -- this was approved as part of the original pre-plat with Cherry Blossom Place in 2018. Because of that the three lots here were held off of that first phase final plat and did not get a second phase in time. So, it was recorded as Cherry Blossom Place here and, then, this three lot parcel that is coming in as a combined pre-final plat as Cherry Blossom East. To get to this point we have been through a couple of neighborhood meetings before first going to P&Z. We got a continuance at that point due to -- mostly the issues related to the irrigation and concerns with the HOA and so we were requested to go back and try to work with the neighbors on those items, as well as have the evaluation of the pump to come back and got through P&Z after two more neighborhood meetings and, then, we are here tonight. To start off with in that first neighborhood meeting staff had told us that with the existing driveway we had two options. One being we could get with those neighbors and create a single driveway to be shared by both parcels on the north and south side, which would require a shared access agreement. Neighbors did not want to participate in that and so we moved to the second option, which was to have our own 20 foot wide driveway on our project site, but that would require a five foot buffer in between the two driveways, as well as a fence. After going through the process staff backed off on those requirements and so we have ended up at this site plan where the two driveways are adjacent, without the fence and buffer in between and just have to use good faith not to use the other driveways without that cross-access agreement. Basic issue on this one -- the Fire Department requires a 20 foot drivable surface. As Bill brought up we have those two telephone poles or power poles that are keeping us from having a 20 foot wide driveway across the property to the east on that existing driveway and slightly into the project site. Working through this with staff and Chief Taulbee with the Fire Department, we have come to agreement that full width across the project site of 20 feet, plus the two foot rolled curb to the west of the power pole -- excuse me -- and slightly reduced width across the east portion of the site, as well as off site on the neighboring property, due to the power poles, this also allows a consistent flow through that gutter for drainage off the site and we also have a mountable curb there and so they are still approaching the 20 feet for access for emergency vehicles and trash collection. Next item that was a big discussion point was water for the site. We initially proposed to have a hydrant on site, which would require running a main through the existing driveway and our proposed driveway, to do so along with the existing sewer main city would require a 30 foot easement for both water and sewer and we only have the 20 foot access easement across the Fusselman property and so he had to come up with alternatives. After many variations there we worked with Public Works and Fire again and determined that with the existing hydrant across Northwest Fourth Street that we only needed sprinkler access for the furthest lot away in order to not need a fire hydrant within the project and so the solution to run a four inch fire service to that far west lot and, then, provide water to the lots with services, as opposed to a water main on site, got us around needing that 30 foot wide easement. The HOA situation between the two subdivisions was a point of contention. The existing neighbors in Cherry Blossom Place did not feel that the residents of Cherry Blossom East should have access to their amenities and they were concerned about having to pay a part of the maintenance for that new proposed common driveway and so the developer pivoted at that point and said, that's fine, we will create a separate HOA for Cherry Blossom East

and they will not have access to the amenities. Planning requested that we get a written notarized consent to be submitted to the Cherry Blossom Place Homeowners Association for the proposed development to use their irrigation pump that they are using today and connect to that system. We created a letter of consent and cost sharing agreement between the two HOAs that details the cost sharing and maintenance between the HOAs for that and, then, the neighbors were concerned that the developer would not turn over the HOA, so he wrote a letter to the neighborhood stating that once Cherry Blossom East is approved he would turn over the HOA to Cherry Blossom Place and, then, finally pressurized irrigation, Bill spoke to this a bit already. We did -- between the original P&Z meeting and the second have Stephen Laidlaw of Precision Pumping Systems come out and verify that the pump was as designed and fully capable of providing the 44 existing lots in Cherry Blossom Place, as well as the additional three lots that will come about with Cherry Blossom East. However, they had had multiple incidents where the pump was running dry and in looking at that we have plenty of water rights for the lots in question and just feel like there is an opportunity to improve the source water into that pump system and so those are design improvements that we are planning to make and will address that as a condition of approval and that -- with that I will stand for questions.

Simison: Thank you. Council, any questions?

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor. Greg, thank you so much. Great presentation. And I have got a question about the water, but I think I have the only -- the privilege of being the only Council person that was on when this went through originally and not only did the development have some things going on with water, but all of the older neighbors -- I'm getting a head nod behind you -- had issues, because they had a ditch that was used and they were very very concerned. But it looks like with the common drive that that isn't an issue, but I just wanted to bring it up and see if that had been a concern at all with the neighbors near where these are being built.

Davis: I'm sorry, can you clarify what the concern was?

Little Roberts: Well, they were concerned about their ditch water, because the neighbors -- the older homes all had a ditch that they would get their water out of and they were afraid they would lose that. So, I don't know if the homes -- because are there some homes in front of them? I think you may have some help behind you with this question.

Davis: Sorry. Council Woman Roberts and Mayor, are we speaking to the -- the residents to the north using the ditch? Please.

Breckon: Mr. Mayor, Council Woman Little Roberts, I was also around for the previous and I know exactly what you are talking about. I remember those.

Simison: And if you can state your name -- name for the record.

Breckon: My name is Jon Breckon. 6661 North Glenwood Street. And, no, there hasn't been any issue with those lots to the south. No, this -- the issue that we have been working with here is the pump station for this development and there has -- there has been some occurrences where the wet well's run dry and so as part of this checking on that system and trying to figure out what the issue is, went back through all the calculations and the water rights and all those things and why is it running dry. There is plenty of water in the ditch as what we have verified and the pump itself is fine. The issue is with the delivery, getting the water into the wet well to the pump and so as part of this design we have some improvements to make and that's -- that's all been addressed.

Little Roberts: Thank you. So, no one needs to worry about their ditch water?

Breckon: No, ma'am.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: A question about the driveway. So, there is going to be a driveway built immediately adjacent to the existing driveway. Will there be a six inch, two foot -- any kind of space between the two or will it mirror almost exactly the existing driveway to make the 20 foot wide sort of access for fire department? What -- help me really understand what this is. Because originally there was a fence that was going to be between the two driveways. That's no longer part of it. But can you just walk me through what that actually looks like?

Davis: Yes. So, if you look at this driveway exhibit that we have here, the existing driveway south of -- of the project is on the property line for the majority of the length of that boundary, but you can see this -- sorry, I'm having troubles with the mouse here -- but on the east end of that fades away from the property line slightly. So, if the new driveway is constructed as it should be on the north of the property line, there could potentially be a small gap at the beginning there, but in the majority of that, yes, they would be touching and effectively one driveway.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: So, the existing driveway that's there from -- that serves those homes to the south, that's 12 feet wide?

Davis: Eleven.

Taylor: Eleven feet. And, then, in your building how -- just remind me again what you are going to be building will be how wide?

Davis: Twenty.

Taylor: Twenty. So, the 20 and, then, the 11 or so -- okay. And, then, for the fire department really quick. So, we have talked about this before. We are not going to have -- or we are not -- we don't allow for a physical barrier between the two, because we needed to have access for emergency service vehicles to get down that driveway and to be able to turn around. Can you -- can you walk me through some of the discussion that you had with respect to this property?

Taulbee: Absolutely, Mr. Mayor, Councilman Taylor. So, as it speaks to this scope of work specifically for Cherry Blossom East, the minimum that you can actually build a driveway -- you can serve up to five residential units off of a 12 foot wide drive. That's adopted by state law and it's in within the Meridian Fire Code adopted as well. However, for this specific situation they are providing what we typically see in a commercial establishment or a commercial drive through single family dwellings would be a 20 foot drive. That -- that's a -- that's a common standard for fire department access roads. However, driveways are allowed in the code to be a 12 foot minimum width, as long as they don't serve more than six homes. So, in this situation, speaking to the residents that are pre-existing on this road, I look at that as a pre-existing nonconforming condition that I can't speak to as to why there was no turnaround designed when it was built. Based on the year it looks like it was early 2000s. Again, I don't have much historical context on that. However, on the new scope for Cherry Blossom there is a hammerhead that meets our alternative design turnaround standard and so with that -- and, then, because of the distance, the furthest home being more than 300 feet, they are going to provide fire sprinklers in that home. So, with that it meets the intent of the code and, then, what is -- for that laid out for that division -- the subdivision.

Taylor: Thank you.

Simison: Council, any additional questions? Bill, are you trying to say something, too?

Parsons: Mayor -- Mayor and Council, before we open it up for public testimony, staff did restrict fencing from happening between the two common drives, just -- and, then, the applicant will have to figure out drainage, because as you know if you got driveways butting up against driveways they will have to design drainage so it stays on their site and it's retained on site. So, all of those things have been worked out or being worked out as part of this application. So, just want to at least get on the record that we are aware of it. It's an unusual situation, but we do feel like we have all contingencies covered with this particular project.

Simison: Okay. Thank you very much.

Davis: Thank you.

Simison: Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Yes. Laura Lee Bauer at the address. It may be wrong. No? Laura Lee Bauer? Yeah. She was signed up here to testify. I was thinking it might be the wrong sign up. But that's the only person marking they wished to speak.

Simison: Okay. Is there anybody that would like to provide testimony on this item, if you would like to come forward at this time. Or if we are online. Come on forward, sir. If you are online if you use your raise your hand function. But I think those are just staff online, so I think we are good. If you could state your name and address for the record, please.

Hansen: Name is -- name is Scott Hansen. 1247 Northwest 45th Street. Live -- live to the south of this project or the first home on the driveway. First home -- or on the driveway to 4th Street. Twelve foot driveway. Three, four hundred feet long. Lived there for 25 years. Trying to -- you know, I guess my -- that's who I am. One of my -- one of my concerns I discovered this week was my power -- underground power comes from the pole adjacent -- or in front of my house, which has not been addressed or marked or even surveyed that that line lays there. It's not in that -- in any of the drawings. That's one of my concerns. I have addressed many other concerns at the other meetings and just look -- just hope you look through them and -- but, really, not for the project, but I do see that that it's inevitable that there is going to be, you know, something built there eventually. So, I appreciate it. Thank you.

Simison: Okay. Thank you. Council, any questions? Okay. Is there anybody else that would like to provide testimony on the item? Come on forward, please. Good evening.

Williams: Hello. My name is Marjorie Williams. I live at 1251 Northwest 4th Street. I'm Todd and Christie's neighbor -- one of the south neighbors affected. I mean I feel like I'm set up to fail here honestly. We only have three minutes to talk and it wasn't accurate the representation Bill gave. The access point was connected, but the developer overbuilt his access point where the Hunter Lateral and Cedarwood is, so now that's disconnected and he had to -- I guess I can't go into how he obtained the easement from our neighbors, but it was gotten, so now they have the 20 foot wide easement and I know Fire Marshal Taulbee -- you know, they put -- the minimum radius is something like 28, but so they have 20 feet total, but a ladder truck will never fit without trespassing on our property. A sanitation truck will never turn on it without trespassing on a property. Geometry doesn't lie. So, the city is assuming trespass for every large vehicles, everybody pulling a camper, a boat, anything onto our property and that's just one issue. The power pole is very glossed over where -- so, it's -- it's around 19 feet. I have measured it myself and, then, you are adding like a two foot curb. So, I mean it just -- it will never meet fire code unless -- unless you move the pole

and, you know, unless you think the International Fire Code isn't an issue and it dead ends. So, it's a 370 foot driveway that dead ends. So, I'm at the very end. I have kids. I have young nieces and nephews. We have no safe pedestrian access to 4th Street and now it's increased traffic to six to seven homes and it -- we are -- we are totally separate. We are not a combined by assumption neighborhood to the new development. He mentioned the 30 feet like that should be developed -- like as a benefit to the new neighborhood. So, we have a survey document from the '90s that shows trees on it and different things in people's yards that were never meant -- it's primarily access to power lines and things. It was never meant to be developed as a driveway and the rural standard back then was 12 feet and our driveway is 12 feet. That's 11 that's paved and it actually goes over, so our pavement -- it will be pavement, a little bit of gravel strip and, then, in their pavement. And back to the 30 feet. If we use that 30 feet our neighbor Holly on the end, if you actually look at it, you would be opening a car door into our house. There is not any room it. It's basically our property has been ignored in this process.

Simison: Just -- thank you.

Williams: So, one final thing. Will the city require, if this is approved an easement, so -- so we maintain our fire access and sanitation access? Will they require that of the development, because we are separate and we don't have access.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Marjorie, I would like to ask you a question.

Williams: Yes.

Taylor: Your -- so, your -- your garbage, do you wheel it to the 4th Street? You take it all the way down or they come up the road?

Williams: They come up the road. But they don't come on our driveway, because it won't support the weight. They have always come up the gravel drive on the Fusselman side, our neighbors across the north side.

Taylor: Is that -- so, is that property on the north side is that -- is that the applicant's property?

Williams: It's partially the Fusselman property and partially the applicant's property.

Taylor: So, Mr. Mayor, just -- if I can -- give me a little latitude to ask just a couple of questions, because I did read all your comments.

Simison: Take your latitude.

Taylor: Thank you. I did read through your comments, you know, the letters you wrote. So, I just want to kind of make sure I'm understanding what you think. So, the garbage trucks access the property -- not on the drive, because it would probably crack the cement and it would crumble that.

Williams: And it wouldn't fit.

Taylor: And it wouldn't fit. So, with the -- what kind of discussions did you have about cross-access with applicant? I know there was -- that's not been granted here and so there is a desire by you and your neighbors it seems to like preserve -- this is our property for our use. You don't want --

Williams: Well, I actually am very much for development and legal development and the Unified Development Code is for homes and I did try to bring up these issues with the applicant and Doug Jayo specifically stated to my husband's and my face that he takes what he wants and he is not going to work with us.

Taylor: Okay.

Williams: And I can say that for a fact.

Taylor: So, then, if this is approved tonight what -- in terms of access for garbage trucks, my understanding was that the -- the new driveway would need to be developed in a way where it could handle a lot like a fire truck or a heavier load. Will they be using your neighbor -- the -- this new development's driveway to pick up your trash as well?

Williams: Well, we wouldn't have an easement. We have no easement to anything on that side at this time. So, we would lose our access.

Taylor: You don't currently have an easement anyway; right? So, the property --

Williams: No. It just historically -- because it was rural and it was a presumed land locked, because of -- I guess that -- the way the easement sat and the access would have been totally through his point that he blocked.

Taylor: So, tell me -- I'm assuming that there was some discussions about like some kind of a cross-access agreement where you work together. What was it --

Williams: We tried.

Taylor: What was it that you didn't like about that, whatever the discussions were? What were you not comfortable with?

Williams: He wanted to take our land for use. So, we actually had a realtor look up the market value for what our easement would be worth if he were to use it and he only

wanted to take use of our easement and had no discussion and, then, our property value would decrease by a hundred thousand dollars for each home.

Taylor: But this easement we are talking about would just be the --

Williams: If he used our driveway and, then, we would agree to the Unified Development Code standard of homes or take into account at least the International Fire Code of five homes, because now there is six on a common driveway.

Taylor: At the time your -- your property was built was it county land or was it annexed in the city at that time? I mean --

Williams: I believe it was annexed in the city, but I can't speak to it a hundred percent. It was -- I have some survey maps from the -- from the '90s that I believe it's in the city, but --

Taylor: Okay. That's all my questions.

Simison: Council, any additional questions? Thank you. Is there anybody else who would like to provide testimony on this item? Okay. Seeing no one, would the applicant like to come forward to close?

Davis: Greg Davis. 6661 North Glenwood Street, Garden City, Idaho. Mr. Mayor, Members of the Council, the developer is still in favor of making this development with the cross-access agreement. That was always our intention. That's why we went with option one first with the neighbors and were disappointed when they did not want to participate in that and so we were forced to go with the option two where they did not have the cross-access agreement. There wasn't really a lot of discussion in the neighborhood meetings beyond, no, we are not going to do that. So, we tried to explain the implications of that, but didn't get very far. I do have one slide I will try to find here that shows the route that the service trucks need to take to -- today and after the development -- I'm sorry, I'm not seeing it in our slide, but I could show you on this one. The radius is meeting code of interior -- inside radius of minimum 28 feet, outside radius 40 coming off of Northwest 4th Street onto the proposed driveway. The hammerhead turnaround is built to code as well, so that a fire truck or garbage truck can come down and make a turnaround. We do not exceed 150 feet past the hammerhead. Everything is code in that way. And so with the proposed driveway the neighbors to the south are actually gaining legal access, where today the trucks have to drive on the developer's property in order to get back to their access to those homes.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Can I just ask a question while we are on this. So, the garbage trucks are going to be able to drive down your driveway. They are going to be able to turn around in that

hammerhead turnaround to collect the trash. Fire truck, if there is an emergency, would be able to access that via this hammerhead. The neighbors to the south -- are you going to allow the garbage trucks to pick up their trash from your driveway?

Davis: Mayor, Councilman Taylor, technically there is a need for a cross-access easement to allow that to happen. I think that in reality if they don't want to go into that that's the way things are going to happen. The trucks will come down our driveway and service those homes, unless somehow they are forced to roll their containers out to Northwest 4th Street, which doesn't seem feasible. An emergency situation they are going to use what they need to do to get it there and fight the fire.

Taylor: Can you address -- and Mr. Mayor --

Simison: Councilman Taylor.

Taylor: -- have some follow up. So, there is an implication that if there is -- that if anybody in your -- any of these neighbors or any services go on the other driveway, the neighbors to the south, that there is a trespassing situation. That was kind of what's suggested. That seems like a really unfortunate scenario for both parties. I'm just trying to wrap my mind around where we are at with some basic city services that are trying to be provided. I don't want to see us in a situation where there is a -- some kind of a civil suit or some kind of issue that requires Chief Basterrechea and his people to get involved in something -- or the courts in something. I think that would be really unfortunate. I'm hoping that there could just be a pretty simple arrangement. I must -- could a -- could a cross-access agreement be reached maybe a year down the road? Does that have to be part of this application? And maybe that's a question for staff. I mean I would hope that the parties will continue discussion to say like let's resolve this in a way that makes sense for every -- all parties. But, Bill, is that required as part of this application approval or not approval? Can that come later?

Parsons: Yeah. Mayor, Members of the Council, the applications here that's before you there is no other chance to get the bite at the apple. It's subdividing it and so, really, if that's something that the Council wants to see happen, it needs to happen with this application.

Taylor: But legally could it come later or does it have to happen --

Parsons: I don't know how we track that. I mean -- to be honest with you. Because, again, from our standpoint I don't know if you want a condition of approval for a final plat that says come back in a year and get a cross-access agreement. It's -- usually in our world it's prior to getting signature on the plat you do the X, Y, Z and, then, we verify that the conditions are all met and, then, once those conditions are satisfied and all the improvements are done, then, they are eligible for building permits.

Taylor: And, Mr. Mayor, if I could ask Greg another question.

Simison: Councilman Taylor.

Taylor: What are you going to do to stay on your side of the property -- or you, I mean the people that would -- at one day -- I mean we need to be respectful of people's property rights and if that's their desire and wish, then, we try to accommodate that. What measures do you envision you taking while the property is being developed, while construction is underway, because that seems to me like the biggest problem is potentially when there is construction, like that -- that can be a messy process. Sometimes you bring in contractors, you -- maybe they don't know, they see a driveway, they are going to drive on it, dump a bunch of dirt, then, we are having real problems. So, that's the first problem. Then down the road when there is actually homes and people are living there I -- you know, can you speak to me a little bit -- how are you going to address that concern, especially if these projects are going to be built.

Davis: Mr. Mayor, Councilman Taylor, excellent question. I believe that's why planning initially was requiring the fence in between the driveways or a barrier to have some way of policing that cross-access -- a lack of a cross-access easement. A potential way to control it during construction as a temporary measure is perhaps a temporary fence or signage to -- to notify people that they are to stay on the new common driveway, but beyond that I don't have an answer.

Breckon: Jon Breckon. 6661 Glenwood Street. Mr. Mayor, Councilman Taylor, the -- during construction is fairly simple. We would provide a temporary construction fence along that property line from the majority of the work and, then, at -- at time of paving that would be removed to butt that up. That's how we have it designed. I guess the other thing to reiterate is we are more than willing to have -- allow the neighbors to the south to have access -- let the trash truck have access, so they can continue having their trash picked up the way they have in the past. We would love to do a cross-access agreement just to -- so, there is not any questions. Not sure on how we get there. Our assumption has been that they will continue to -- or once it gets built that they will -- you know, there will be some -- without a fence people will just do what they do and -- and drive on either side most likely. We have a design -- we have got more inadequate access for these new lots and -- and don't take issue. I think a cross-access agreement would be the best solution in the long run. That's what we had presented at the very first neighborhood meeting was that option and to -- as part of that to share in maintenance costs. It is -- something I would point out is that this -- this new driveway, the hammerhead turnaround, is on its own lot. It's easy enough to separate that legally with an easement. I don't foresee any trespass issues, because these lots, as they are sold, they are their own lots. You know, we have the three buildable lots and five -- or two nonbuildable lots and so I don't anticipate really any issues there. Of course there is the -- you know, there could be questions at some point in the future when you get to maintenance and use, part of the -- part of this HOA will be to have a maintenance agreement with these three lots to make sure that the driveway is maintained and then -- well, I guess that's -- I hope that helps answer your questions.

Taylor: That's helpful. Mr. Mayor. I had a question for Bill.

Simison: Councilman Taylor.

Taylor: If we put a -- if a fence were put up that would actually cut off the services to the properties to the south and make them -- make that unacceptable from an emergency services response perspective. Also there is no trash collecting, because we are not taking anything down a 12 foot -- or 11 foot wide driveway. Is that why we said we removed the fences, so that the neighbors to the south would have access to these services in an emergency? Am I -- am I understanding that correctly? Or could you maybe pinpoint why no fence?

Parsons: I believe they can have a fence. That wasn't the issue.

Taylor: Okay.

Parsons: It's -- a fence is limited on what can be there. But you are right, that would impede. When we met with -- we have had an applicant -- we have had a meeting with the developer and we worked out all these issues. Like the applicant stated, water, sewer, access, fencing, we just think it's in the best interest not to have a fence just for those reasons, because people are going to do what they are going to do and all that's really going to happen is the fence is going to get hit, it's going to get broken, nothing is going to get resolved. In the perfect world the best solution for this project is everyone rebuilding their driveways and having one common driveway that everyone uses and shares the cost in. That's what we have told the applicant from day one when we started pre-approving with them. Unfortunately, I can't get three property owners to agree. That's -- that's their own decision they have to make for themselves. We can't -- the city can't force them to do that and I can't make a developer be polite to a neighbor. I mean that's -- you got to have civility at some point and people just have to work together and figure out a solution. The city can't always solve everyone's problems unfortunately. So, in our deliberations we are trying to solve a majority of the problems that we can. This seems to be the best solution based on the number of issues we had at the beginning of the project and that's where we are landing at tonight is what we have in front of you. Yes, I see it being an issue in the future that I'm going to get e-mails from neighbors saying so and so is on my driveway. So and so is using my driveway. So and so is doing this. It's going to -- the reality is those things could occur here and so whatever we can do to minimize that today I think it would be helpful. Again, I don't know if the neighbors want to come up here and say they are willing to work with the neighbor, if you want to bring them up and ask them that question. I don't think we closed the public hearing. But I'm not sure if they are amenable at this point. I'm happy to go have a conversation with them, too, and, then, share that conversation on the record as well.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I do think it's worth it to consider -- like just to communicate openly with the neighbors, I believe this is going to be approved. There is going to be some -- there are going to be homes here and I do want to just give the neighbors maybe an opportunity just with a show of hands if anyone is open to working on a cross-access agreement and a continuance for a couple of weeks to do that, because this is really a bad outcome for everyone. Like this is not efficient. It -- I think it hurts everybody. It's just unfortunate that -- that everybody couldn't -- you know. And I don't want to get into like the blame game of who said what and all of this, but I mean if there are neighbors that are open to a continuance to try to work this out further I would love to hear if any of you have something to say. But if not -- Mr. Mayor, would it be okay if we hear from the neighbors?

Simison: Ma'am.

Hansen: Misty Hansen at 1247 West 4th Street. I just want to speak to -- when we talk about this cross-access I totally understand. I mean we get these homes are going to go in. We totally recognize that. We are not stupid. And we understand this whole -- we had the access to this field for 23 years, you know, and had that turnaround. What we are worried about is that they want to put pavement right next to our concrete. They want us, who are not on HOAs and have never been on an HOA, to somehow be in a shared understanding with wild cards. We don't know who is going to move in here. We don't know that they are going to agree to pay their share. Right now we have been neighbors with Margie and Justin and Carollee -- for 20 some years, so we know anytime there is a fence or there is gravel that needs put in or anything that needs done we just share the cost. But now we are going to have three new neighbors that are on HOAs of their own. How are they going to say, oh, yeah, we will help share in the cost of your private driveway, but you need it -- I just -- we don't understand how that's going to work. It doesn't make any sense to us. So, that's where we are coming up with this cross-access with no financial understanding of how that -- how this applies to us is I think our biggest deal.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Have you at any point been willing to enter into negotiations with the developer to try to come up with an agreement that is equitable or a shared understanding or do you feel like it's just not possible to reach that point and so you just feel more comfortable proceeding kind of go it alone where each can have our own side of the driveway?

Hansen: Well, I don't want to speak for Margie and my husband either. Honestly, I don't -- because they have kind of -- everybody has their own little opinion here. My personal opinion is we need to come up with this -- with a negotiated answer to this. We need the shared access. We need to have utilities come through. We need to have fire

trucks come through. We just don't know what we are going to -- what is going to happen when you have three people on an HOA and four of us not on an HOA.

Strader: Uh-huh.

Hansen: I mean I understand what -- how HOAs work and their fines are going to go up. They are going to have more expenses. They are going to have to keep paying it. We aren't paying anything, but yet when it comes time to repairing the damage so -- and when it comes to a negotiation there has never been an equitable -- nothing's been mentioned about monetary means to set us -- to set us up to be prepared for whatever that cost might be that we could put in an account and go, okay, we are ready now when this happens. We can take care of our side of the road. That's the thing. It's never been brought up. It's just -- just give us access and, then, we are like, well, now we have to pay for this other road that's encast in gravel and not been an issue. We brought in gravel and filled it when we needed to to keep -- maintain our level of our driveway, so we didn't break it off. We just did that. We have taken care of that field for fire reasons at no -- we didn't charge Joe or Mageddons -- or whatever her name was. The lady that used to own it. We used to take care of that field. We still do it. We still go out there and mow it down to make sure there is no fire damage or whatever. I just don't know what -- when it comes to the developer we have not been approached. We have been approached by Bill, but only in the fact of you need to -- we need access to that and I can't speak -- he would always say I can't speak to -- if there is any monetary means or how that would work. You just have to work it out with the new neighbors when they move in.

Simison: A suggestion -- and maybe it's a horrible suggestion. You guys establish your own HOA and allow them to opt into your HOA with the financial contribution at that time to address those issues and I can see an easy 300 -- 300 foot fence that would have to go in there -- is a nice way to go towards establishing a fund for shared maintenance of something that probably wouldn't have to do for 20 years. But I think there is a way for you as the homeowners to address this -- getting them to do that, but you are in control of the conversation to achieve the out -- the best outcome. That would be my suggestion. You don't have to pay anything to an HOA that you don't self-establish for yourselves if you set it up. It could be a zero cost HOA, but you -- but you create a shared financial arrangement and allow them in. But I'm not the attorney and I'm -- but that's how I would do the situation, as compared to having a 300 foot fence when I -- I'm a firm believer that good fences make good neighbors and if that's the only outcome that's -- that's an outcome.

Hansen: No. Honestly, I don't agree with the fence. I don't think --

Simison: I don't think anyone does.

Hansen: I mean we are a very open neighborhood, open yard, always very neighborly. It's been awesome. So, to put a fence up is -- to me is the actually the opposite. It's meaning we don't want to have you --

Simison: Correct.

Hansen: -- as a neighbor. That's not what we are looking for. And we also realize we need access -- emergency access. We need, you know, just -- and so today we don't want to be bad neighbors. We want to get along with these guys, too. So, we don't want to set this up to fail. We just realized that we have a value to our property and we don't want that value to be depleted or ruined when you have three neighbors we don't know what's going to happen and if they are going to go screw you we are not going to help and, then, we are taking care of it ourselves, which we would, because we don't want our neighborhood to go to crap. We have lived there a long time and we want to live out our life there, so -- but I agree that's a great idea. I want to look into that legally on that HOA thing. I didn't know we could do that.

Simison: Okay.

Hansen: Okay. Thank you.

Simison: Come on up.

Williams: So, I would be willing for -- you know, to go forward with the cross-access agreement. Sorry. Marjorie Williams talking. 1251 Northwest 4th Street, but -- so, now we have a long narrow common driveway, not a common street with the cross-access agreement, with six to seven homes on it and no -- still no safe sidewalks out and it breaks Idaho -- it breaks the law in Idaho to have more than four houses and, then, fire code is five. So, would that be discussed following state law as to how many houses would be on a common driveway?

Simison: I wasn't aware there is an Idaho Code for that. It was city.

Taulbee: Mr. Mayor, so the Idaho Administrative Code allows five homes on a -- on a driveway and so, again, you know, looking at this new scope -- I wasn't necessarily combining them, because they are -- there wasn't an existing drive more than 12 foot that even had a compliant turnaround, so our code amended here in Meridian allows six homes on a driveway and so -- and it would have to provide a turnaround of more than 150 feet, which this would. So, obviously, the combined improves the site for everybody for fire and emergency response. I a hundred percent agree with that. Again, you know, as far as the existing -- I couldn't tell you if their driveway would support 82,000 pounds or whether it was engineered, because it doesn't have a turnaround now, it went off into the dirt and gravel, which we wouldn't allow. So, in saying that our current code does allow six homes off of a driveway.

Williams: I thought the fire code was five and, then, the Unified Development Code -- and I provided the actual written code in my e-mails -- is four. So, the Idaho law is four and I have it written down there. If we could clarify that.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, may have -- I guess the misunderstanding or the -- maybe the misinterpretation -- the way we have had to address this, because there is no -- no cross-access -- these are two different driveways.

Williams: Yes.

Nary: So -- so, each driveway independently I think has three homes on it.

Williams: But you are asking us if it functions, so -- Idaho courts have consistently ruled that when you put two driveways together and they function together it's considered one corridor of six homes -- six to seven. So, if it gets, you know, to that point, which I hope it doesn't.

Nary: Well, at least at this juncture, the way we have had to interpret it, because there is not an agreement between these parties, is these are two separate driveways. Our city code allows for -- anyway. So, we do allow four on a common drive, so it's not really a violation of our code, so -- but -- but I agree with what was said previously. I mean if the Council would like to at least give one last opportunity -- the developer Mr. Jayo isn't here. I don't know what the conversations were and I agree that's not really our place. All we have tried to do is evaluate this from the fact that we can't -- as Mr. Parsons said, we can't require the parties to agree and you don't have to. So, then, we have to look at it and say if the parties won't agree and they have to independently be able to deal with their land, develop their land as allowed by our code, how can we do that and, unfortunately, the side-by-side driveway, as impractical or illogical as it might seem, is the only legal way we can get there.

Williams: That's splitting the baby in the developer's favor. You count our driveway, you know, to help him out where it pinches at 19 feet and you turn in off 4th Street, but we completely lose all our independent and future fire accessibility access, because now you are considering us two separate driveways and two separate properties and our neighborhood has no -- that doesn't have the historic fire access and services had it for 25 plus years now.

Nary: But --

Williams: I want us to follow the law.

Nary: Right. And all -- and what the fire marshal is saying is we are not going to take away the access for your home, so there are no --

Williams: But it's not a legal -- but -- but you are looking at it as legalese -- legally speaking two separate driveways, but functionally it's not and, then, legally separate --

Nary: I can't control that.

Williams: -- it's two separate fire --

Nary: I don't want to argue with you, ma'am, and I'm not trying to provide you legal advice. What I'm saying is we have tried to, as best as we can, allow both your properties and those properties down that street to remain as they are and to function as they have, but still allow this -- I mean this is just a plat request. This is not an approval of this project. The project was previously approved. So, we are only really here on a plat. So, again, I'm not here to argue with you or provide you legal advice, all we tried to do was say what can we do with this property that this developer is asking for in this application and not impact the existing property or prohibit them from functioning the way they have functioned? That's the best we could do. But I agree that if -- the best way is to have a mutual agreement, which could be done if all the parties wanted to. There is certainly a way to get there and the Council could require it if they want to. I think where the Council has been hesitant is requiring something that there is no desire of anybody to reach a resolution. If there is a desire --

Williams: I would love, you know, to agree. I would love for them to build to the Unified Development Code and, then, we have a cross-access agreement and everything's legal and everything's documented on paper and done. Thank you.

Simison: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Would it be okay if I ask a question of the applicants?

Simison: Yep.

Strader: It's been a long process. I can tell it's been a frustrating and painfully slow process, but I just want to encourage you -- I feel like there might be an opportunity here just to take one more bite at the apple, give it one more try to try to work it out with these neighbors to do a cross-access. You can come back in January. If you can't get there we might, you know, have to proceed with this craziness of having two separate driveways that are functionally the same driveway, but this is crazy. Can we just try one more time I guess would be my request. I don't know what the others on City Council think, but I feel like it is worth trying one more time, just because this is going to be a nightmare. I'm pretty worried about it. I can tell Councilman Taylor's --

Taylor: Mr. Mayor?

Strader: -- all over it, too.

Simison: Councilman Taylor.

Taylor: Well, there is a long history here, too, of -- we are not even speaking about the Cherry Blossom HOA and all the discussions there. There was a significant amount of work with the neighbors there to address their concerns, which I appreciate that being done. I know this has been -- for three homes this is probably a lot of consternation and struggle. I agree, though, this -- if I'm asked to make a decision on what's before me, I'm going to say yes, because I think everything is done accordingly, but I want to be cognizant of all the other factors around the property and be sympathetic to the property rights and respect those on the south. So, again, your decision -- you can either say, no, we want you to vote tonight and we can, but I think down the road there is going to be some real challenges that we don't want to have to deal with that's going to be very unfortunate. I think it could be worked out if the parties have a few more weeks to sit down and say, okay, now that we have got a sense of where -- you know, we did the P&Z hearing and now we have got some feedback from City Council and there is a sense of -- at least some guidance to both the property owners existing on the south and to you, I would hope that our comments and questions have provided enough feedback to you that maybe you guys can find a way to get together on this. It is very unfortunate if we can't figure out a way where a driveway that looks and acts and functions as one driveway, yet legally is separate and different and has all kinds of problems -- you can imagine the scenarios down the road that may come up, not just in the next two to five years, but in ten or 15 years what does that look like? I mean we are going to stick a no trespassing sign in a little one inch gap between the driveway? I don't think so, but who is to say you can't. So, I am -- I'm tracking where Council Woman Strader is with -- it's almost a plea from Council that you all figure this out and resolve it. If you can't -- we are going to give you a date certain in the near future and we are going to come back and we are going to make a decision on what's before us and I'm going to tell you this Council Member is going to say I'm going to approve this as is, but I really want you guys to figure out how can you make it work. That's my thinking.

Breckon: Mr. Mayor, Councilman Taylor, I would be glad to give it one more shot. Yes, I can't agree more. It would be the right thing to do.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Unless there is any further discussion, I think we have discussed it quite a bit. I hope that the property owners here have got a sense of kind of what we are thinking and whatnot. Want to keep the public hearing open and request a continuance for Item No. -- for application -- get this right here. I want to make sure I'm doing it correctly. For File No. H-2025-0030 to be continued to January 13th, 2026.

Strader: Second.

Simison: Have a motion and a second to continue to January 13th, 2026. Is there discussion on the motion?

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Discussion. Reiterating here. The purpose of the continuance is for the applicant and the property owners to the south to see if you can find a way to agree to some kind of a cross-access agreement, understanding some of the financial ambiguity is a big concern for the property owners. I think that needs to be addressed. But understanding the safety concerns with city services and emergency services needs to be addressed I think makes some sense. I think that's just -- I want to say that in terms of some guidance to both parties.

Simison: All right. If there is no further discussion, all in favor signify by saying aye. Opposed nay? The ayes have it and the item is continued to January 13th, 2026. We will see you back here then.

## **ORDINANCES [Action Item]**

- 11. Ordinance No. 25-2103: An ordinance (Gramercy Townhomes H-2025-0019) for rezone of a parcel of land being all of Lot 1, Block 3 of Gramercy Subdivision No. 1 (Book 99, Pages 12619-12622, records of Ada County, Idaho) and all of Gramercy Subdivision No. 2 (Book 100, Pages 12961-12962, records of Ada County, Idaho) and further situated in a portion of the northeast quarter of Section 20, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, being more particularly described in Exhibit "A," rezoning 6.983 acres of land from the C-G (General Retail and Service Commercial) zoning district to the TN-R (Traditional Neighborhood Residential) zoning district; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all applicable official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing an effective date.**

Simison: Okay. With that we will move on to Item 11 Ordinance No. 25-2103. Ask the clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance for rezone a parcel of landing being all of Lot 1, Block 3 of Gramercy Subdivision No. 1 and all of Gramercy Subdivision No. 2 and further situated in a portion of the northeast quarter of Section 20, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, being more particularly described in Exhibit "A," rezoning 6.983 acres of land from the C-G zoning district to the TN-R zoning district; directing city staff to alter all applicable use and area

maps as well as the official zoning maps and all applicable official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing an effective date.

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

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: I make a motion we approve Ordinance No. 25-2103.

Little Roberts: Second.

Simison: Have a motion and a second to approve Ordinance No. 25-2103. Is there discussion on the motion? If not, clerk call the roll.

Roll Call: Cavener, absent; Strader, yea; Overton, absent; Little Roberts, yea; Taylor, yea; Whitlock, yea.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**12. Ordinance No. 25-2104: An ordinance (Pine 43 Mixed-Use Subdivision – H-2024-0071) annexing a parcel of land situated in the southwest quarter of the northwest quarter of Section 8, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described in Exhibit “A”; rezoning 7.21 acres of such real property from RUT (Rural Urban Transition) to I-L (5.29 acres) (Light Industrial), C-G (1.36 acres) (General Retail and Service Commercial), and R-15 (0.56 acres) (Medium High-Density) zoning districts; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date.**

Simison: Next up is Item 12, which is Ordinance No. 25-2104. Ask the clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance annexing a parcel of land situated in the southwest quarter of the northwest quarter of Section 8, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described in Exhibit "A"; rezoning 7.21 acres of such real property from RUT to I-L, C-G and R-15 zoning districts; directing city staff to alter all applicable use and area maps, as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date.

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

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: I move we approve Ordinance No. 25-2104.

Little Roberts: Second.

Simison: Have a motion and a second to approve Ordinance No. 25-2104. Is there discussion? If not, clerk call the roll.

Roll Call: Cavener, absent; Strader, yea; Overton, absent; Little Roberts, yea; Taylor, yea; Whitlock, yea.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

## **FUTURE MEETING TOPICS**

Simison: Council, anything under future meeting topics or a motion to adjourn?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Unless there is anyone with a burning topic, I move that we adjourn the meeting.

Little Roberts: Second.

Simison: Motion and second 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 9:00 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

---

MAYOR ROBERT SIMISON / /  
DATE APPROVED

ATTEST:

---

CHRIS JOHNSON - CITY CLERK