

A Meeting of the Meridian City Council was called to order at 6:01 p.m., Tuesday, December 13, 2022, by Mayor Robert Simison.

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

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

ROLL-CALL ATTENDANCE

☒ Liz Strader	☒ Joe Borton
☒ Brad Hoaglund	☒ Treg Bernt
☒ Jessica Perreault	☒ Luke Cavener (Left at 8:02 p.m.)
☒ Mayor Robert E. Simison	

Simison: Okay. Council, we will call the meeting to order. For the record it is Tuesday, December 13th, 2022, at 6:01 p.m. We will begin this evening's regular City Council agenda with roll call attendance.

PLEDGE OF ALLEGIANCE

Simison: Next item will be the Pledge of Allegiance, which will be led tonight by Will with Scout Troop 1. If you could all, please, rise and join us in the Pledge of Allegiance.

(Pledge of Allegiance recited.)

Simison: Thank you, Will, and thank you to all the members of Troop 1 who are with us this evening for the first part of our meeting.

COMMUNITY INVOCATION

Simison: Next up will be the community invocation, which will be delivered this evening by Pastor Vinnie Hanke of Valley Life Community Church. If you would all, please, join us in the community invocation or take this as a moment of silence and reflection. Pastor.

Hanke: Mayor, Members of City Council, season's greetings. Merry Christmas to you. Thank you for the opportunity to come and pray for you.

Cavener: Before you begin, Mr. Mayor, just a quick moment of privilege. We have got a -- a colleague who is departing for greener pastures tonight and I guess maybe I humbly request that you add an additional prayer for Council Member Bernt and his family and -- he's got some challenges ahead of him and we are excited for him, but I think an extra special prayer of protection for him and his family is warranted.

Hanke: Yeah. It's a big hill, but I imagine he can climb it. Let's pray. Thank you, Councilman Cavener. God, we thank you for the opportunity to gather tonight as free citizens in a free country. We pray for the City Council, God, that you would grant them wisdom and discernment. We pray for the City of Meridian, God, as we think of Christmas time and your message of goodwill and peace. We pray for those things in our city and, God, we pray for those things in our state and we pray for Councilman as he makes his journey, Father, to greater levels of leadership. We ask that you would continue to grant him a sense of humility and awe and privilege as he serves those in his constituency. We ask a protection upon him and his family as he serves and, ultimately, God, that the City of Meridian would be a place where neighbors love one another and that your name would be glorified. I ask this through your son, Jesus Christ, amen. God bless you all. Thank you.

ADOPTION OF AGENDA

Simison: Thank you, pastor. Okay. All right. Next up is adoption of the agenda.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: On our agenda tonight Item 7, a public hearing for Sessions Parkway, the applicant's going to request a continuance to -- to January 3rd. So, I would like to move that to number one, so we can dispense with that and that way if anybody is here for that hearing for Sessions Parkway we will know that we have taken action and when the date will be that it's continued to. So, with that, Mr. Mayor, I move adoption of the agenda with the modification of Item 7 being heard first in the public hearing action items tonight.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

DEPARTMENT / COMMISSION REPORTS [Action Item]

1. City Council: Recognition of Councilman Treg Bernt

Simison: So, first item up is under Department/Commission Reports. The City Council recognition of Councilman Treg Bernt. Do I have any volunteers to go first? Councilman Cavener.

Cavener: Mr. Mayor, I'm happy to start off, but I -- I'm noticing that there is very few tissues up here and I think that was probably poor planning on our part, so as I was -- some of you know I have been ill and this date has been on my calendar, because I

wanted to wish my very good colleague well. When I think of Treg I think of -- of three words. Gregarious. He is so kind. But most importantly he is passionate about everything. He is passionate about the little things. He is passionate about the big things. He is passionate about playgrounds and park spaces and pathways. In my time on the Council I never thought that we were going to have to break up a fight because somebody wanted to come to our community that wasn't doing best for Meridian and Council Member Bernt let them know it. It's because he cares. And so I'm happy to be here. He had a real tough job when he came in as Council President and led our Council during a time of COVID, working with the Mayor to scale up so we could take testimony virtually, both in person, how we separate the room, how we could continue to serve our community to the best of our ability it was under your leadership and I know we don't like to initially jump back into 2020-2021, but you and the Mayor working together really set us apart, so that we could continue to serve our community. Treg works hard, but he also shows that he balances that with having a lot of fun and you have made these five years on the Council a lot of fun. I sometimes take our work a little too serious and the levity that you bring shows that we can work hard on behalf of our citizens, but still have a lot of fun and enjoy our time doing it. And, then, the last thing that I just -- I want to share that you -- that you taught me. We as Council have tremendous appreciation for our city employees. We don't always appreciate our city employees and every time I see you, whether it's you're walking -- you probably plan to come to a meeting an hour early so that you have opportunity to go talk to all of our employees about what's going on with them and their family and their family's family and how their kids are doing in sports. There has been one only other person who did that as well. That was Keith. And I just think that you have embodied that spirit of caring about our employees and making them feel appreciated. That's taught me I need to do a better job and I just wanted to thank you for this five years. It's been a real trip and just because you won't be on the Council and you won't be on the payroll, there is always a seat here for you and look forward to you coming in and telling us what we are doing wrong and I look forward to bumping into you in the capital and tell you what you are doing wrong and we really wish you well in this next endeavor.

Bernt: Thank you, Councilman Cavener.

Simison: Thank you, Councilman.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I don't want to get emotional about it, but he's not just a colleague, he's a friend, and I just so appreciate Treg. Treg is the first person who really gave me advice when I joined City Council. He really took me under his wing and I could ask him questions -- stupid questions, hard questions, and he's just a caring person like that and I'm sad that he is leaving, because I think it's a huge loss and it -- I don't know if we can fill his shoes, to be honest. I'm sure the Mayor and everybody are going to try our best. But we do need a fighter to go to the legislature from Meridian and I know he is going to do that for

us and I'm really proud of him for stepping up to run and I'm just happy to call him not just a colleague anymore, but a friend.

Bernt: Thank you, Liz. Okay. Let's go home.

Perreault: Council Woman Perreault.

Perreault: Thank you. I was joking around with Treg one day that he's cried more on the dais than I have. And here I am.

Bernt: It's just -- I wouldn't call it crying.

Perreault: For good reason. He's taught me a lot about having a sensitivity in what we do and that it's -- that it's okay to -- to have all of these decisions be as personally important to us as they are important to us as decision makers and this morning I was thinking -- it's going to be really different not having you sit over there and how glad you must be that you sit far from me, because I would probably be elbowing you the entire time. Treg and I served on Planning and Zoning together before he was elected and he used to love to ham it up on Planning and Zoning and it was a really serious Commission and so we would all come and everybody was really, you know, digging into -- into the decisions and the details and trying kind of sit there for a while and he's -- he's really doing a much better job now of -- of keeping his expressions. But you would -- always used to be able to read what -- what he thought and at first I would think, oh, my goodness, this guy's like a class clown and, then, I -- and, then, as time went on I -- I just completely appreciated the -- the great energy that he brought to the Planning and Zoning Commission and the uniqueness with which he approached things and the way he challenged us to make decisions in ways that we hadn't and he was so different than the -- than the rest of us in a very very good way and I really appreciate it -- have appreciated the friendship and all the ways that he has challenged me to -- to think more big picture and -- but the thing I admire about him most is his commitment. He is everywhere all the time. I have no idea how you do it. I'm always asking him how do you do everything? How do you get this done? And he's committed to being up early and going to bed late and -- and so long as the community knows that he is committed to what he does and that has taught me a huge amount about service and how to serve Meridian well and how to love this community well. Thank you.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I don't think I will shed any tears, because Treg is going to the Idaho State Senate and I'm going what in the world are you thinking. It's your own fault. Actually, no. It -- it -- it's fantastic that -- that Treg is going there. He is going to do very very well. I met Treg -- I don't know, it's been ten, 12 years ago. You were on Parks -- Parks Commission and I was on Council previously and -- and that's where we got to know each other and -- and -- and, then, from there he -- I think you did the impact fee committee

and, then, the Planning and Zoning and -- and what's interesting, you think, oh, you know -- you know, Councilman Bernt and, yeah, he's on City Council and now he's a state senator, boy, he's climbing the ladder. The interesting thing about Treg is, yeah, he's gregarious, he's outgoing, he's funny, he's committed. These are all true. But each of these jobs, City Council, and so far the State Senate -- we will see where it goes from there -- is Treg didn't seek those positions. It's people who saw his potential and what he could do for our community and they said, hey, would you do this and that's the neat thing. It's not someone who wants to climb a ladder and make a name for himself, it's people who recognize talent and commitment and hard work and go, hey, that's what we need in our elected officials. So, I think that's just fantastic that he's doing this, even though I -- there will be times I kind of -- I will be laughing at him going, oh, yeah, you wanted it, so -- but that's just the way it works. But there is someone else that needs recognition tonight, too, because she had to give up a lot of evenings with you not home -- I had to think about this, honestly. Maybe she was glad about that. I'm -- I'm not entirely sure. But his wife Tiffany. You know, there is a lot of meetings, there is lots of phone calls, there is the packet to go through in preparation for meetings, all these different things. So, you know, I don't know if the Mayor is going to give you anything, like a medal of honor from the city or something -- I don't know. But I -- I thought I had to do something for your wife, because she really is the one who stood behind you to make sure things on the home front kept going and no matter what you said or did she would stand by you, which sometimes we went, whoa, we don't know this guy, but she's the one who was always there. So, Tiffany, you are going to get recognized. So, you know, but no -- I won't make you give a speech, so -- this is for Treg's better half.

Borton: That's fantastic. Mr. Mayor?

Simison: Councilman Borton.

Borton: Let me just provide a few more comments. I'm not going to also get emotional, I'm -- I'm a mean old man. But what's interesting, right, is you get a chance every so often -- maybe I will -- just to recognize folks who have an impact and honesty and empathy are probably how I describe Treg in his service and those in the community who have been involved and had a chance to meet him know that's true. It's not a complicated formula to be successful and to be a good man and that's -- those are the traits that he brings to the city and to his family and to his friends. So, I'm blessed to -- to call him a friend -- dear dear friend and it's interesting -- it's times like this when we take a moment and say -- I'm breaking my own rule. You take a moment to say what someone means. We don't do it enough. So, I appreciate the chance to say it now. You don't have to work -- you know, be on Council for five years to hear about it. Could tell you every day how much you mean and there is folks in your life that mean a lot to you. Go tell them. Tell them today. Just really appreciative of -- of what Treg's done for the city and it's no shock that people have a tough time talking about him leaving. He's got a big impact on our community and he means the world to me. I know you are going to do great stuff and you are not going to be a stranger, but -- and you won't change those core principles which make you a great husband, great dad, great council member, great member of our community. So, I love you, man.

Nary: Mr. Mayor? Mr. Mayor?

Simison: Mr. Nary.

Nary: Yeah. Mr. Mayor, Members of the Council, Council Member Bernt, I guess on behalf of the staff -- I'm not the staff spokesman, but I have been here a long time. I will echo what Council Member Cavener said, is there is not an employee that I have ever talked to in the city that didn't believe you truly genuinely cared about the people that work here and truly cared about them. Not just their job or what they do or how they could do it better, but them and that's -- that's a genuine character that is not evident in everyone and it's clearly who you are and -- and I know -- I -- my employee friends would all say the exact same thing. You and I got to know each other from watching Breaking Bad and I so enjoyed our times over the years when you were on parks and on P&Z and, then, on Council and just talking about stuff that had nothing to do with the work, the government, or any of those things, but just about life and the city and trying to do the right things for the people here, both that worked in the city and that live in our city and that come to our city and you always had the -- your heart in the right place and I guess the -- the -- the biggest thank you and praise I can give you is I have sat up here for a very long time in a lot of different seats in this city and the last person who sat in Seat 4, there is no better person that could have succeeded him except you and I don't know anybody -- I don't know that the next person could come close. I hope they do. But no one could have followed Keith Bird's footsteps better than you. Thank you.

Simison: Thank you, Mr. Nary. So, people may not know it, but Treg's a poet. If you follow him on Facebook every now and then he will -- he will drop a little ditty on Facebook. His rhymes are sometimes off the hook. I had to go and watch an interview he gave, you know, early in his career to understand that not every word has to rhyme. Sometimes it's how you say it to get the rhyming effect, but -- but -- but your lyrics are always on point and succinct and I don't know where you got that talent. That being said, I thought I would take a -- take my own shot, because I didn't know really how to encompass all my -- what I would want to say in these, because, you know, you really were the -- you know, my -- my right-hand helper, you know, when I came on and I really appreciate and value that and, you know, who would have thought that, you know, two kids from Pokey could be here helping a community grow and prosper from -- from where we were. So, here is my words, best I could come up with, so don't -- don't judge, but, hopefully, they tell a little of the name Treg. There once was a man from Pokey, who bled red and blue. Flooring was his business, but his public service was true. He met with Mayor Tammy, who saw something in his heart. She put him on parks and rec, that's where Treg Bernt got his start. He gave his time and talents. Soon he climbed the ladder. Planning and Zoning was a fit and his vote started to matter. City Council was his next stop. Here he found a home. He served with distinction, that's where I got to know-him. As Mayor and Council President together we set a path. We may have had a few words, but sometimes brothers spat. He stayed focused on our services. He left politics at the door. He built relationships with others. Then it was time for more. Now he's in the Senate, Meridian's blue and gold rang true. The future is bright for Teggy. He will be in leadership before he's through. His hearts as big as his head. It's okay because he wears a hat. There is a little more gray

in his beard and Tiff is all right with that. Everywhere he goes he always makes new friends. King of the bro hug, he will back you to the end. He loves his family deeply. Family first is his motto. His kiddos are number one. With Tiff he hit the Lotto. Pickleball's a new hobby. Fishing is in his blood. His crew is a bunch of ice holes, but he is really a stud. We have enjoyed the pal Tamarack. Chambers has been a pleasure. All my best to Senator Treg Bernt, you truly are a treasure. Senator, the floor is yours.

Bernt: Geez. Geez. What a poem, Mayor. That caught me off guard a little bit. You do have a little in your blood. What a ride. What a ride. What an awesome ride. You know, serving the citizens of Meridian for the past five years on the City Council has been probably -- it is one of the -- it is the greatest honor that I have -- that I have had in my life and it's really interesting, because, you know, I feel like I have just had a small little piece of it, you know, because what we do is really important and it's grand and I -- and I'm really grateful for the little piece that I had to do with it, because -- you know. And it's not just -- and it's just not us, you know, there -- there -- there were folks that came before us, whether -- you have heard a lot tonight about Keith Bird. The -- Mr. Rountree. Mr. Zaremba. Those who came before us set the path and so as we make decisions on the dais, whether it be the budget, whether it be land use, whether it be setting policy, for me it's never been incredibly difficult, because that path has already been set. There were greats who -- who came before us who put us in a position where these decisions were a little easier. So, hats off to those who came before us and I'm really grateful for Meridian heritage and those who really truly made a difference. Some thank yous. So, first off I want to -- I just want to thank the citizens of Meridian. You elected me twice to sit in this seat and -- but -- but the most important thing is all of the friendships and all of the -- all -- all of those who I have met over the years, whether it was over coffee, whether it was over club on wheats at Kahootz, whatever the case may be, truly grateful for all of the meaningful relationships in this city that I have been able to have over this -- this -- these five years. But, you know, it doesn't stop now. You know, I -- I feel like -- you know, I -- I feel like this is a huge goodbye, which it sort of is, but I'm not going anywhere. All right? I live less than a mile or two down the street and there is going to be a time in June when sessions is over in the capital and there is going to be a weird name on the public forum that's going to -- you know, that signed to testify and that's going to be me, Chris, and I will -- I will -- I will come by and say hi. Promise. I'm not going anywhere. I'm always close. And those who know me best know that I'm always available. I'm always available. Those who know me best know that I'm -- I'm here to serve and I'm here to make a difference and I truly care. We talk -- we talk about this brotherhood or the sisterhood that we have up here on Council and we -- and we -- we have a mantra and, again, Keith Bird's name comes up, but it's absolutely true, we call it the Keith Bird rule. Recently I was talking to a gentleman -- I was -- he was from a different part of the state during our Senate organizational session that happened a couple of weeks ago and he is like why is it that the City of Meridian is never in the news? I mean you are like the second biggest city and no one ever hears anything about you and I'm like that's the biggest compliment I think I have ever heard in my entire life and I think that the reason for it is because we get along. We -- we -- we -- we rarely always agree, but the Keith Bird rule says that you leave it on the dais. You respect. You respect one another with civility and I believe in public discourse, especially in politics. This is something that's lacking and it's something

that I promise each and everyone of you and those who are listening that I'm going to take this Keith Bird rule to the Senate and you will continue to see civility, you will continue to see respectful discourse and we will get stuff done. I want to thank Liz Strader, Joe Borton, fellow ice hole. Brad Hoaglund. Luke Cavener. Jessica Perreault. Genesis Milam. Ty Palmer and Ann Little Roberts. I also want to thank former Mayor Tammy de Weerd and Mayor Robert Simison. Knowing you and working with you shoulder to shoulder has, again, been a huge honor and it's -- it's been a pleasure and you have taught me so much. Last, but not least, Tiff, my family. I didn't know that you were going to get a little present tonight. Thanks, Brad. That was so sweet. Like you shouldn't have, Brad. Geez, you are such a nice guy. But, you know, Tiff -- if you know Tiff, she -- she's -- she's the -- the best wing man that I could ever have, not only in public service, but in life and, you know, when you are -- when you are in public service, when you get into politics, it's a lot of time and we are -- and I'm not complaining, it just is what it is and we do it with -- with a smile on their faces and we are absolutely -- it's -- it's -- it's a huge blessing. But I know that my wife is -- she's over the years sacrificed a lot of things that professionally and personally that for -- for me in my public service and I think I -- I don't know if I could do that. I don't know if there is a lot of people that would be able to do that. So, thank you, Tiff. I love you so much. My kiddos -- two are working. One's at school at the University of Utah and, hopefully, they will watch this recording a little bit later, but my -- thank you to my kiddos. I love you greatly. If there is one thing that I always talk to my kiddos about -- I don't care if you get into politics. I honestly could care less. I just want -- I have always taught my kiddos to get engaged. Get involved. Make a difference. I don't -- you all know that I love this city and I love this state. It's -- I -- I'm so grateful and honored to serve you as your Meridian City Councilman for the last five years, but I'm super excited to get to the statehouse and to -- to serve you as your Idaho State Senator in District 21. I can't thank each and everyone of you enough. I appreciate your support. Thank you to the Mayor for allowing me to, you know, express my thoughts and -- and -- and to thank Tiff, my family, Meridian city staff and all those who have truly made a difference. Thank you so much. God bless.

Simison: I know there is some people that came here for Treg, so we will go ahead and take a short five to eight minute recess, just to allow those that maybe came to say goodbye and clear house, so -- we will recess for -- reconvene at 6:40.

(Recess: 6:32 p.m. to 6:39 p.m.)

PUBLIC FORUM – Future Meeting Topics

Simison: All right. We will go ahead and come back from recess. Next item up is public forum. Mr. Clerk, did we have anyone sign up?

Johnson: Mr. Mayor, there is no sign-ups.

ACTION ITEMS

7. Public Hearing for Sessions Parkway (H-2022-0046) by KM Engineering, LLP.

located at 2700 N. Eagle Rd.

- A. Request: Development Agreement Modification on the existing Development Agreement (Inst.#104129529) to remove the subject property from the agreement in order to enter into a new Development Agreement for the proposed project.
- B. Request: Preliminary Plat consisting of 5 building lots on 5.32 acres of land in the C-G zoning district with a request for City Council approval of an access via N. Eagle Rd./SH-55.

Simison: Okay. Then we will go into Action Items and our first Action Item is on the former Item No. 7, which is a public hearing for Sessions Parkway, H-2022-0046, by KM Engineering, LLP. Do we want to open the public hearing --

Nary: Mr. Mayor, I think -- I think it was noticed properly. I think they are requesting a continuance, so, yeah, we can --

Simison: Okay. So, I will go ahead and open the public hearing for this item. As we noted, we do not have the applicant here. Would staff like to make any further comments at this time related to that? Okay. Do we have anyone that was here for the purpose of testifying on this item this evening? Okay. I see nobody. Then do I have a motion?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we continue H-2022-0046 to January 3rd, 2023.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

2. Request for Reconsideration of Bridgetower Multi-Family (CUP-2022-0047/CR2022-0006) by Paul Elam

Simison: So, we will go back to Item 2 on our agenda, which is a request for reconsideration of Bridgetower Multi-Family, CUP-2022-0047 by Paul Elam. Mr. Nary.

Nary: Yes. Thank you, Mr. Mayor, Members of the Council. So, before you is a request for reconsideration. It has been filed properly by Paul Elam and requesting a review of your decision from a prior hearing of November 15th when you basically overturned the

Planning and Zoning Commission's denial of the conditional use permit for the Bridgetower Multi-Family Apartments. It has been filed. Again you have it in front of you. As you know, there is no testimony here. Your decision point -- unless you have questions of staff, your decision point is either to uphold your decision, reverse your decision, or modify your decision. If -- if the decision is to -- to -- to reverse your prior decision, a new public hearing will have to be held. We would have to re-notice that a future date and, then, we would take public testimony. But, otherwise, there is no additional testimony or evidence tonight, unless you need clarification on any question.

Simison: Thank you, Mr. Nary. Council, questions, comments, actions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just a piece for discussion. I read Mr. Elam's letter and I -- I think it's important to clarify a little bit -- at least to clarify my own vote. I thought it might help him kind of understand where I was coming from. It's not a fear of the city going to court over a decision, it's that the legal basis that we cannot provide adequate services did not exist sufficiently for me to oppose that application. It's one of the yes votes that I had the most mixed feelings about. I did not want to vote for this one, but I did and the reason is that this is entitled property, they were following the original concept plan and, ultimately, ACHD proved that there was an adequate level of service off McMillan and they are the road authority, as flawed as their analysis may be, and in addition, while the West Ada School District is overcrowded in some respects, we took a pause even on some development applications to work with them and ask them what we could do further to assist them and whether they needed us to pause development or do something differently as a city to support them and they were emphatic in saying that they were ready to support additional students. So, considering that the -- you know, main providers of the services that were in question had both affirmed that they could provide those services and because it wasn't an annexation, this was entitled property, already annexed into the city, that -- that is to say that there was not a sufficient legal basis to deny the application. It's not fear of a lawsuit. I'm never afraid of us going to court over something if we feel we have an adequate legal basis. But I didn't feel that we did and that's why I had to vote for that application. Just wanted to clarify for Mr. Elam. Thanks, Mayor.

Simison: Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I appreciate Council Woman Strader explaining that so well. When we receive letters like this my heart really goes out to -- to the public, because these decisions -- we -- we feel what your concerns are. We -- we understand the concerns. We understand the impacts of this development and, like Council Woman Strader said, I was also

incredibly conflicted and -- and not entirely in favor of voting for that, but there are limitations that are upon us in that particular situation, because the decision to allow this type of development and density was established in 2005. It was annexed and zoned and a development agreement, which is a contract with the city that the city will provide services to that landowner, was signed and agreed to in 2005 and we don't have the ability to just turn that over and -- and start making independent changes of that contract that -- you know, with -- without -- without a request from the landowner and without sufficient basis. So, the only thing we were considering in that hearing -- it was very narrow and very specific -- was that -- was -- was really just a change to some designs of the buildings and the concept plan. As Council Woman Strader explained, the transportation and schooling piece was not a topic of our conversation. There was a delay in -- excuse me. The -- the -- the delay in them building the original concept plan from 2005 -- it -- it doesn't, again, allow us to change any of what they were originally permitted to do. So, our choice was to either -- to either continue with what they had -- had agreed to with the prior Council from 2005 had -- had voted on or to agree to the changes that they recommended. That was the extent of our decision that evening. There wasn't anything else that we could change. So, I just wanted to clarify that even further, because it certainly didn't have anything to do with not taking the concerns and the impacts into account. We -- we absolutely would if we could. If this was an annexation that was before us we could have done so. Planning and Zoning Commission, they -- they are volunteers, they do an amazing job, they made a bit of an error in not looking at this application in the -- in the context in which we did and that is not the developer's fault. So, I personally don't see any cause to reconsider -- any legal basis to reconsider the decision.

Simison: Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: After reviewing the request for reconsideration from Mr. Elam on Bridgetower Multi-Family CUP-2022-0047 and 2022-0006, I have reviewed the decision, the findings and the minutes of the approval and do not find any error that would cause me to reconsider or remand this decision. Therefore, I move to deny the request for reconsideration.

Perreault: Second.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I will be brief. I wasn't present for this particular agenda item, but have watched it online and agree with the -- with the motion maker.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Same. Thank you.

Simison: All right. Is there any further discussion? All right. Clerk will call the roll.

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

Simison: All ayes. Motion carries and the request for reconsideration is not approved.

MOTION CARRIED: ALL AYES.

4. Public Hearing for Prairiefire Subdivision (H-2022-0053) by Patrick Connor, located at 3539 N. Locust Grove Rd., near the northwest corner of E. Ustick Rd. and N. Locust Grove Rd.

- A. Request: Annexation and Zoning of 3.16 acres of land from RUT in Ada County to the R-8 zoning district.
- B. Request: Preliminary Plat consisting of 22 building lots and 1 common lot.

Simison: With that we will move on to Item 3, which is a public hearing for Prairiefire Subdivision, H-2022-0053. We will open this public hearing with staff comments.

Hersh: Good evening, Mayor and City Council. The applicant is here to talk about their proposed project for Prairiefire Subdivision. The applications submitted are annexation and zoning and preliminary plat. The site of the property consists of 3.16 acres of land, zoned RUT in Ada county, located at 3539 North Locust Grove Road. There is no prior history on the property. The applicant proposes to annex the 3.16 acres of land with an R-8 zoning district. This property is designated as medium density residential on the future land use map contained in the Comprehensive Plan. The designation allows for units at a gross density of three to eight dwelling units per acre. A preliminary plat was submitted showing how the property is proposed to be subdivided and developed with 22 single family residential detached dwelling units at a gross density of 6.96 units per acre, which is within the desired density range of the median density residential designation. The subject property is an enclave surrounded by existing single family residential detached homes to the north, which is Quenzer Commons. The west is Heritage Grove. East is Summerfield. There is a church to the south and an office park to the north. This development is proposed to be an age restricted -- restricted 55 plus community and the

applicant's narrative states that they have an agreement in place to merge with -- this development with the Heritage Grove HOA. Access is proposed from the extension of existing local stub street, which is West Prairiefire Street from the west. Access is prohibited from North Locust Grove Road, which is to the east. ACHD is requiring that the applicant increase the radius of the cul-de-sac from 47 feet to 50 feet per district standards. The project is conditioned to comply with all ACHD conditions of approval. A 25 foot wide landscape buffer is required along North Locust Grove Road. Because the site is below five acres in size open space and site amenities are not required per the UDC 11-3-3A. However, the applicant is providing 0.37 acres of common area to provide pedestrian access to the commercial properties located to the north and Locust Grove to the east. This area will be landscaped with trees, shrubs, and include a five foot micro path. Staff recommends that the applicant remove Lot 11, Block 1, to the north along the northern property boundary. The micro path connection of the northern portion of the common law adjacent to the commercial development is hidden behind Lot 11, Block 1, creating a potential safety issue for pedestrians and pedestrian pathways on common lots shall be designed to reduce the incidence of crime and improve the quality of life. So, four conceptual building elevations were submitted that demonstrate the style of homes proposed for this development as you can see on the slide to the right. A mix of single story and single story bonus room homes are proposed. Staff believes the proposed -- proposed elevations are consistent with the Heritage Commons Subdivision development and staff has included a sample elevation that demonstrates the style of homes in the Heritage Grove development on the left. Planning staff did recommend approval at the Commission hearing with the requirement of the DA that contains the provisions in the staff report and Commission recommendation was approval at the November 3rd, 2022, Commission hearing. Summary of Commission public hearing. In favor was Patrick Connor was the applicant and Michael Rusnack was the -- is the president of the HOA for Heritage Grove Subdivision. In opposition we had Judie Dietzler, Kevin Emery, Willie Uhrig, Moscelene Sunderland, Doug Brown and Gerard Gladu. Commenting was Patrick Connor and Michael Rusnack. And written testimony was Doug Sayers. Concerns pertaining to excess traffic through the Heritage Grove Subdivision. Key issues at the meeting were single story with a loft will essentially create a second story causing privacy issues. Contractors use a temporary construction entrance off of Locust Grove during the subdivision construction. Concerns over Heritage Grove HOA's ability to provide enough irrigation water. Consistent with the home elevations in Heritage Grove Subdivision and whether the proposed homes fit on the lots. And these actual ones that I have in the slide the -- are the new elevations that were proposed that we had asked for in the Commission's staff report. And, then, also removing Lot 11, Block 1, to create a better transition on the northern boundary. And, then, key issues of discussion by Commission were HOA responsible for maintaining the landscaping in the front and back yards. Concerns about ensuring the elevations are compatible with the Heritage Grove Subdivision. The pathway to the north is a requirement as part of a conditional use permit approved with the commercial business park to the north. Proposed homes will fit on lots with removal of Lot 11, Block 1 -- and I could go back to that slide. I have an X on it. And, then, Commission changes to staff recommendation. The applicant shall work with ACHD to try to obtain a construction entrance off Locust Grove during construction of the subdivision to minimize all that traffic through Heritage Grove -- Heritage Grove

Subdivision. And outstanding issues for City Council. The applicant shall provide revised plans that are more consistent in style with the Heritage Grove Subdivision homes prior to the City Council hearing, in which they have done so. And written testimony since the Commission hearing, we have not had any. Thank you. And that concludes the presentation.

Simison: Thank you, Stacy.

Hersh: You are welcome.

Simison: Council, any questions for staff?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you, Stacy. In regard to a construction entrance off of Locust Grove, where -- can you bring them the -- the plat back up and show where that would be? I assume it would be through what we are seeing as land -- the landscaped area. Does that mean the applicant would not be landscaping that area until after all the homes are constructed?

Hersh: Mayor, Council Woman Perreault, yes, that would be correct. So, on the east side of Locust Grove -- so, that would be the last part, they would -- they would get approval from ACHD to enter to build the subdivision from the east off of Locust Grove and, then, that would be the last part completed.

Simison: Council, any additional questions for staff? Okay. Then would the applicant like to come forward? And if you could state your name and address and be recognized for 15 minutes.

Connor: Thank you very much, Mr. Mayor. My name is Patrick Connor. My address is 701 South Allen Street, Meridian, Idaho. Can you press the -- perfect. Thank you. Good evening, everyone. Thank you for having me tonight. As Stacy said, this is the Prairiefire Subdivision. Tonight we are requesting annexation of 3.16 acres from RUT to the R-8 zone. We are also requesting approval of the preliminary plat, 22 single family lots and one common lot. The project is located on the west side of Locust Grove, just north of the Ustick intersection. Just south of the project is a church. North is an L-O office area with a pediatric clinic and Fire Station No. 3 is located just to the east and we border Heritage Grove, a 55 plus age restricted community to our west. The project is surrounded by medium density residential and the zoning directly adjacent to the property is R-15 to our west, R-8 to our north, and, then, office to the north and south. So, what we are proposing tonight is the R-8 zone. Initially when we first started looking at this project and this in-fill project -- and it's -- it's pretty rare in my job that I get to present an in-fill project. Usually I'm doing kind of the larger stuff on the fringes of town. So, I'm really happy to present this to you all. We are looking at a number of possibilities for this,

whether we are looking at attached townhomes or potentially a mixture of townhomes and single family. We had a very large showing at our neighborhood meeting where it was overwhelmingly in favor of single family. So, that is the route that we went with our application. So, we are proposing 22 single family lots with one common lot and we do have some open space. There is a micro pathway to the commercial property to our north and, then, an access to Locust Grove to the east. During the neighborhood meeting we had a large showing, like I said, and we started conversations with the HOA board of the Heritage Grove community that we would take access from and from the very start in working with Michael and his team, they are trying to find win-win solutions to a number of problems that -- and -- and different areas that we found conflict. The first thing is we didn't want to create an island community within this kind of 55 plus community. So, Michael and his team came forward with the idea to -- potentially we could annex and be part of their HOA and age restrict our community and effectively become the last phase of their community. Talking without -- with -- with our company and working through it is something that we are open to and that we are excited about bringing forward. Like I said, another part of the problem was there was concern about increased traffic and children in the community of 55 plus and so in restricting the age restriction we were able to kind of alleviate some of those concerns. Architectural styles, making sure that if we do annex into the community and making sure that our homes match and it's -- and it feels like a seamless community and so we have worked through a lot of the items of architectural compatibility and that was also a standard that was brought forth by the city, making sure that our homes that we can bring forward fit in well. Again, the PI system that we would need to connect to is within Heritage Grove. We have water rights, but the water rights come just about once a week as kind of a flood irrigation and we would be able to dedicate that water to their storage system for the PI system and we can easily connect to the PI system. So, we are committed to upgrading the -- the pump and anything that needs to be done to ensure the PI system works for our 22 homes. The two conditions that -- what's shown before you on the left is what we have proposed and what's in for you on the right is the project with that Lot 11 taken out. So, as you can see the green space gets a little bit bigger and those lots on the north side also get wider. So, it's a better transition from the -- the lots on the north. So, we are okay with -- and we are -- and we are willing to comply with that first condition. The second condition is to have the house renderings. Like Stacy said, we submitted these new renderings. Our team is still working on the architectural elements of it. The floor plans, making sure they fit. The 55 plus housing market is a little bit different. There is different needs and demands of those buyers compared to what we typically see with the single family and so we are working through some of the elements of that. So, again, thank you for having me tonight and this is an in-fill project surrounded by R-15 and R-8 zone. What our project is trying to accomplish here and what we have tried to show with -- working with the HOA board is moving forward together with finding an agreement and -- and, hopefully, after tonight, if we have a positive outcome, we continue to work with them and annex into their community. The item about connecting to the Locust Grove with the construction traffic, I'm really glad that you brought that point up, because a lot of times all that landscaping needs to get done before we have a recorded plat and if we are going to be running construction traffic along there it won't happen. So, that's something that we would need to work with ACHD on and with staff on to -- to make sure it happens. I think it would

alleviate a lot of the distractions of home construction for our neighbors. So, it's something that we are committed to do, but there needs to be some sort of working with staff as well to alleviate that -- that landscaping until all the construction is done. We are complying with all the zoning parameters of the R-8 zone and, like I said, it's -- it's been really good working with Michael and his team and -- and trying to make this a seamless transition. I know we are kind of the outsiders trying to join in, but we are trying to make it a win-win project for everybody. So, with that I would stand for any questions you all may have.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks, Mr. Connor, for coming and I want to start by complimenting you. I don't think we see very often that an applicant really tries so hard to integrate with the surrounding neighborhood and even going to the level of annexing into the HOA. That really speaks to part of our Comprehensive Plan. So, I appreciate you doing that. My question for you is with these revised elevations is there a bonus room? How are you thinking about that transition if there is one? Are there going to be windows overlooking the neighbors? There aren't a ton of properties it looks like that -- that border, but could you just sort of talk us through that, since these are new elevations.

Connor: Thank you, Council Member -- Council Member Strader. Yes. So, most of our plans we want to have the option to have a bonus room or a loft and the way that those are designed is they are within the trusses of the home. So, it looks from the front and from -- compared to a single family home the same height and elevation. The windows are -- typically face the front of the house. So, the best example is going to be the top two that you see those -- the dormer windows and these range probably around 300 square feet and they are really just spaces for a craft room or if grandkids need a play area or if someone just needs to get away and watch a soccer game, it's just another space within that home. Given that these lots are a little bit smaller, we just wanted to have the opportunity to have a little bit more space in there. Sometimes 55 plus homes are just two bedrooms, given the -- the demographic and so we are just trying to have another opportunity to have that space up there. In talking with the HOA board they don't want the spaces on that second floor to be bedrooms, which we completely understand and that's not the intent of those. So, they are -- they are just an option for a loft or a bonus room up there. None of the ones that we have designed have windows that -- that face the neighbor to the sides. So, as far as privacy of looming -- looking in the backyard, something like that, it's -- it's a non-issue with these designs.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Got it. So, would it be accurate to say that the height of these homes is typical for a single story home, just that you are integrating a bonus room into where the roof line is and, then, it sounds like you just confirmed there wouldn't be any windows facing the homes from the side. There wouldn't be any side windows. So, they all face forward. That's how the layout is of all your properties. Really this privacy concern shouldn't be an issue?

Connor: That -- that is correct.

Strader: Okay. That's helpful. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I'm just going to ask a what if question here. If, for some reason, you are not able to work things out with the current homeowners association to everybody's satisfaction, what's your plan?

Connor: I -- I have -- Council Woman Perreault, I have a lot of confidence that we will and we -- we really want to join. They want us to join. We are -- like I said, we are just working through some final items. Tonight -- tonight's outcome is a big part of that. I -- I know that we can get there and if it doesn't work out, I think we just keep trying again. I mean we want to be a good neighbor, we want to build the right thing here, and I think this -- there is no reason why I don't think it -- it should. The -- and I will let him speak as I know he signed up to speak, but -- but Michael, the HOA board president, they had a vote of 92 or 93 percent of the neighbors did vote in favor for annexation and so they have everything in their wheelhouse to -- to work with us and negotiate and make sure they have the ability to do it. So, it's basically done. It's really just up to us and them coming to a final annexation agreement with the architectural items. Yeah.

Simison: Council, any additional questions for the applicant? All right. Thank you very much. Mr. Clerk, do we have anybody signed up on this item?

Johnson: Mr. Mayor, we did. First is Judie Dietzler -- Dietzler.

Simison: If your name is called if you would come forward and be recognized for three minutes. Or do we have anyone here who is representing an HOA? Okay. So, an HOA representative is over there. Okay. Recognized for three minutes.

Dietzler: Yes. I'm Judie Dietzler. I live at 1318 East Prairiefire, Meridian. My house was the one you were showing on the screen and before I start I would like to say, Congressman Treg, I'm sorry I didn't have the opportunity to know you, because you sound like a wonderful person. Very caring and -- and compassionate and by hearing your interaction I think that the entire city -- the City Council is the same way, which means that that will go over into our communities with that same compassion and love. So, we

appreciate you. Okay. I had a couple of questions. One of them was the -- Hubble is proposing the -- the loft and it's -- they said a couple of things that sounded okay, but the problem is you are doing an over 55 community. Most of us that moved to an over 55 community are on the higher end of the over 55 and we moved there because we didn't want stairs in our homes. So, I'm not sure how easily it will be to sell a home that's got the loft, unless it's just used mainly for storage, then, it makes sense. So, that's one thing. Also, the Heritage Grove board has -- had a contract with -- I guess with Hubble, but none of the residents have seen it and since we are all obligated to whatever that contract says, it would be wonderful if we could see what we are -- what we are obligated to. Also you have already addressed the entrance off of Locust Grove, so that's great. There will also be a huge impact -- when we have 22 additional homes in our community on our clubhouse -- our clubhouse is already stressed to the maximum. I don't know if our HOA board has talked to Hubble about the potential for enclosing our patio, so that it will help accommodate the additional residents or not, but that would be another concern that we have. Okay. Thank you.

Simison: Thank you. Council, any questions? All right. Thank you.

Johnson: Mr. Mayor, I'm not sure -- Mr. Dietzler, were you signing up as well? Okay. Thank you. So, Michael Rusnack.

Simison: Thank you, Michael. And you will be recognized for up to ten minutes.

Rusnack: Good evening, Council and Mr. Mayor. As a community when we became aware of the plans for Hubble taking over that area, our board immediately crafted the thought of an annexation. As stated by Patrick we put this -- we put together terms and conditions for this, that -- how it would integrate into our community for the best -- best means for both parties and, indeed, we put it before the community. The community has given us the authority to negotiate on behalf of the committee. Ninety-two percent of the community within -- and, in fact, it was a majority of the community who voted -- 92 percent giving us, the board, the opportunity to negotiate and work with Hubble in this case. We do have two homes in our community that have lofts and, in fact, I was not aware of the second one until after the first meeting when I was informed that we do have two. So, it's not something new in our community. With respect to the use of the clubhouse, indeed, it is not at capacity. We monitor the use. The clubhouse is one -- it's an extension of a living room and that's what its intent was. We do have a Friday fun night that occasionally spills out into the patio. But, again, it's something for general use. It is not something that we consider expanding at this time or into the future as we have discussed it in the past. Questions about the water usage and the capacity of our system and providing that pressurized irrigation. Our landscape contractor Perma Green has noted that, indeed, we do have the ability to provide that water. It's all fully automated. It is done in a manner that is consistent for conservation and we feel very comfortable in the agreement of allowing us to be the reservoir for the water that comes off of the land from the adjacent property, the Prairiefire. We would, indeed, provide the irrigation process as we do now. So, again, the community has given us as a board the opportunity to negotiate and then -- and, indeed, we are very very comfortable working with Patrick.

To answer the question what if, we don't want a what if. We want to make it work and that is our honest approach. We feel it's the best win-win. We don't want a multi-level apartment complex in there. We don't want a lot of -- a lot more traffic than we would have and with respect to the stairs, I think that's up to the buyer and we will leave it at that.

Simison: Thank you. Council, questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you for being here. It's really refreshing to see the neighbors working together with the applicant and having really reasonable conversations. We don't see that as much as we would like to. So, thank you on behalf of yourself and the board for just having such a good attitude about this change that's going to come to your neighborhood. Does your -- do your CC&Rs currently have a limitation on how many folks can live or visit and for how long in -- that are under the age of 55? Like some 55 communities permit family to stay for so much time, but the concern is that they will have grandchildren that will come and live there on a permanent basis or something along those lines. I know that's been expressed to us by other 55 plus communities where there might be a loft or whatnot. Is that a conversation that your board has had and is that a concern with having the second story?

Rusnack: In fact, our initial CC&Rs as written were a bit loose in that area and, in fact, we amended them with the community vote -- an overwhelming community vote that we amended the CC&Rs -- A, we will only permit someone to be there on a temporary basis, 90 days in a calendar year. That 90 days includes any family member under the age of 55 at that point. And, indeed, we enforce that. So, it is, indeed, in the CC&Rs and the very very first thing we provided Hubble team was a copy of the ACC documents and the CC&Rs.

Simison: Council, any additional questions? All right. Thank you very much.

Rusnack: Thank you.

Johnson: Mr. Mayor, next is Willie Uhrig.

Simison: Good evening. If you could state your name and address for the record.

Uhrig: My name is Willie Uhrig and I live at -- I live at 1421 East Summer Place in Heritage Grove. I had several questions, but most of them have been answered in the -- the presentations. But I still have one -- one thing that I'm concerned about and that is, okay, with the elimination of Lot 11 that does give Hubble more room on the -- I guess it's the north side of the subdivision and they may be able to get the -- the type of houses they are showing up here to fit on their lots with that. I don't think they will fit on the other side.

They don't have the -- they don't have the footprint to build those kind of houses on -- on that side of the street. They don't have the width to build them. And I don't think anyone's looking at that. They are showing -- they are showing something that they can't do. But when they showed the original design that they were planning to build, they were planning to build very narrow -- and we have seen -- you see them around -- very narrow apartments, because they had to fit them on the lot and they are still going to have that issue with the footprint on the houses on the other side of the street. You know, they may be okay on the north side once you get rid of Lot 11. The other thing I would like to say is I would -- I would like to stand up here and say I -- I wholeheartedly support this, but I don't know what this is. We were given a list of bullet points to vote on, which we voted on. They were very broad bullet points. People -- residents in -- in Heritage Grove have asked to see the agreement between Hubble and our board, just so we know what the agreement is, because, as you know, the devil usually is in the detail. It's not in the broad points. So, we don't know what we are agreeing to. And those are my points. Thanks.

Simison: Thank you, Willie. Council, any questions? All right. Thank you.

Johnson: Mr. Mayor, Gerard Gladu.

Gladu: Mr. Mayor. Good evening, everyone.

Simison: Good evening.

Gladu: Excuse me. Sorry. My name is Gerard Gladu. I live at 1461 East Legacy View Drive and it's in the Quenzer Commons Subdivision. It's on the north side of -- of their proposal. A lot of my -- actually I want to thank Patrick also for, you know, his concessions that he's done with the -- with his proposals and stuff like that really helped. But my concern with the lots -- I'm going to have four of them along my property line and so with what he said, as long as the houses that are proposed with the lofts and the windows, you know, face the front, don't face the back. Also another concern that I have is the traffic and nobody's brought this up, but the traffic going through the Quenzer Commons Subdivision as well. So, that's just another concern as well. And my fence -- I don't know -- I have never had to deal with anything like this before, so I don't know what to expect. But like my fence line, I would like to keep my fence, as opposed to having a -- a vinyl fence put up and mine taken down, because of the way my backyard is it just -- it just wouldn't look right. So, I don't -- I don't know how that works as far as that goes. So, that's also a concern of mine.

Simison: Those would be great questions for Patrick that we will have him address if -- in his comments.

Gladu: Yeah.

Simison: Council, any questions? All right. Thank you.

Gladu: All right. Thank you, guys. Have a good evening.

Johnson: Mr. Mayor, there is several other names, but no one else marked that they wanted to speak.

Simison: Councilman Borton.

Strader: Just to those last two questions. Take yours. To the last two questions, our planning staff or the applicant is taking notes with regards to the fence requirements, what may or may not happen with the fence. Lot dimensions for that zone and how a property can or can't fit on a lot that's got a set street frontage width and, then, certain side yard setbacks, which allow for a lot to be of a certain size. So, if the applicant doesn't address it our staff can address it and provide answers on how things can fit and what happens to -- to fencing on a project like this.

Simison: All right. Is there anybody else who would like to provide testimony on this item, either in the room or online? If you are online use the raise your hand feature and if you are in the room if you want to come forward. Okay. Seeing no one coming forward or no one raising their hand, I will ask the applicant to come forward to provide comments and close.

Connor: Thank you, Mr. Mayor. Again, Patrick Connor. Just to address -- I thought Michael did a good job answering some of the questions about the -- the question about the loft. Again, it is an option. It's kind of left up to the buyer if they want it. Anecdotally, my parents live in an age restricted townhouse community and they have a second story loft that they actually do use mainly for storage. So, it is kind of -- just an option like we said to have there and we are trying to satisfy some of the concerns about privacy and just having that -- the windows face the front. Mr. Uhrig brought up -- Mr. Uhrig brought up his concern about the houses not fitting on those lots. So, the lots as they are drawn are 40 feet to 50 feet wide and our product as we are designing it is a 30 foot wide product. In this zone the side setback is five feet, the front is 20 feet, and the rear is 12 and so the homes that we are designing will fit on the lots within the city code of the setbacks. Some of the lots are typical -- are a little bit wider, so we could put a wider home on there if needed.

Strader: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just real quick to close the loop on that point -- on that point, the -- the -- the dimensions -- or the examples that you have shown are examples of lots that are of the dimensions that you are describing? Thirty feet?

Connor: That's correct. Yeah. The -- the homes that were shown that we submitted to City Council are 30 foot wide homes. There is one home on there that a 40 foot wide home that would fit on a 50 foot lot.

Strader: Good. Thanks.

Connor: And to answer Mr. Gladu's question about the fence, definitely with a -- with an in-fill project like this we like to look on it on a case-by-case basis. We would like to keep the fence in place. There is no need to replace a fence or take -- tear a fence out. That doesn't need to do that. We never want to do a double fence. We never want to have fences back-to-back, because it's a maintenance issue. So, when we get there we can work with -- with the neighbor on -- on making sure that that transition is done well, making sure that also -- if there is any grading that needs to get done, we don't want to have a grading issue between the two properties. During site visits I think actually the adjoining properties are a couple feet higher than this property. It's -- it's a bit in a hole. So, there will be some grading that we will have to do. And, again, I know it was brought up about potential upgrades to the clubhouse. We are -- a part of our negotiations and -- and with this annexation agreement is -- is find stuff like the developer contribution that we need to give as we join the HOA. So, we have identified an amount that they would receive once the final plat is done -- is recorded and so what they choose to do with that money is an HOA decision. I don't know if it's enough to rebuild a clubhouse or do any sort of additions like that, but that's going to be an HOA decision. And, again, the homeowners that will live in this community will be paying fees and dues to go into the general fund. I think that I covered any questions that were posed tonight. If there is anything else that -- that I did not, please, let me know.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. Would you be willing to have a DA condition that would tie you to what you just promised, which is that the windows on the second story will face the front of the home?

Connor: Yeah. I don't see a problem with that.

Strader: That's fantastic. I think that would give a lot of the neighbors comfort around that. Thanks.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Are -- are the current residents going to be invited and encouraged to use the -- the green space, then, that's going to come in with this next phase and -- and is there a clear -- I assume that the sidewalks connect and there is a clear path for them to access that and use that. You know.

Connor: Yeah. Council Woman Perreault. Yes. Of course. The -- the green space will be deeded to the HOA, so it will be HOA property and the micro pathway will connect to Locust Grove and, then, to the public street sidewalk and, then, to their community. So,

we will provide a pedestrian access -- a quicker pedestrian access to Locust Grove and -- and the micro path that goes to the north to the pediatric, St. Al's and the daycare.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Staff is showing the outstanding issue for City Council is the question regarding the style of the homes. The elevations. And we can see from the two staff reports that there is definitely a distinct difference between what was originally proposed and what's currently being proposed. What other specifics were discussed? I -- I read that -- that front porches was an element that currently exists. I don't see that in the elevations that you have presented. Are there any other elements besides that that were discussed that we should be thinking about or considering?

Connor: Yes, Council Woman Perreault. So, the -- the advice given to us by staff was focused mainly on the garages, making sure the garages were not the front of the house. So, either a front porch or a living space in the front there. On the four ones that I submitted I think either -- I think two out of four or three out of four did have a front porch. Maybe it was a covered stoop and the other one had a larger front porch step protruded in front of the -- the garage. So, the idea was that it wasn't -- it's not a snout house sort of look and it's not a garage dominated front. So, that -- that's what -- what we drew and that was the recommendations from staff, as we were asking them like what exactly are you looking for to make it look more like Heritage Grove. And -- and also in -- and in the architectural standards of the HOA that is also within the architectural standards that we are working through is a nongarage dominated architectural design.

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

Hersh: Mr. Mayor, I do have one other thing to add in regards to the lot sizes. So, these lot sizes met the R-8 zoning dimensions and they were 40 feet wide and now he's lost -- removed a lot, so some of them will be 50 feet. So, they meet the dimensions required for the R-8 zoning district.

Simison: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I move that we close the public hearing on -- what now?

Simison: You are good.

Cavener: Okay. All right. Move that we close the public hearing on Item No. 3, Prairiefire Subdivision, H-2022-0053.

Strader: Second.

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

MOTION CARRIED: ALL AYES.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: This is a -- I think a really good use of an in-fill project -- some of the other Council Members points. Appreciate the applicant being proactive with the neighbors and kind of matriculate -- kind of build one kind of global concept. The only outstanding issue for me is not one for us to -- to contemplate and that's between the current HOA and the board and I have been on HOAs and worked with HOAs and know -- I don't think there is more of a thankless job in government than serving on the homeowners association. If there is one thing an HOA board can agree on is that nobody wants to do the job and so I appreciate your work to the board and perhaps maybe just some further communication with your residents about what's included will probably resolve that. So, Mr. Mayor, after considering all staff, applicant, and public testimony, I move to approve File No. H-2022-0053 as presented in the staff report for the date of December 13th, 2022. To include all staff, applicant, and public testimony.

Perreault: Second.

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

Cavener: Mr. Mayor? Sorry.

Simison: Councilman Cavener.

Cavener: To -- to clarify on that, I know Council Member Strader brought up a DA for the way the windows are facing. That's inclusive of my motion as well.

Simison: Second agree?

Perreault: Second agrees.

Simison: Okay. Is there further discussion on the motion? Clerk will call the roll then.

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

Simison: All ayes. Motion carries and the item is agreed to. Best of luck getting your final agreements in order and working these things out. So, thank you very much for being here.

MOTION CARRIED: ALL AYES.

4. Public Hearing for Turin Plaza (H-2022-0063) by 12.15 Design, located at 3169 W. Belltower Dr.

- A. Request: Rezone of 1.80 acres of land from the R-4 (Medium Low-Density Residential) to the L-O (Limited Office) zoning district.

5. Public Hearing for Turin Plaza (SHP-2022-0013) by 12.15 Design, located at 3169 Belltower Drive.

- A. Request: Short Plat consisting of four (4) building lots on 1.62 acres of land in the proposed L-O zoning district.

Simison: Next item up is Items 4 and 5, public hearing for Turin Plaza, H-2022-0063, and public hearing for Turin Plaza, SHP-2022-0013. We will open both of these public hearings together and begin with staff comments.

Allen: Thank you, Mr. Mayor, Council. The next application before you is a request for a rezone and a short plat. This site consists of 1.62 acres of land. It's zoned R-4 and is located at 3169 West Belltower Drive on the east side of North Ten Mile Road, just south of Belltower Drive. This property was annexed back in 2001 and platted as a lot in Bridgetower Crossing Subdivision. A development agreement was required as a provision of annexation. The Comprehensive Plan future land use map designation is office. The applicant proposes to rezone 1.8 acres of land, including land of the section line of Ten Mile Road, from an R-4, medium low density residential, to the L-O, limited office zoning district, consistent with the future land use map designation of office and in accord with the development agreement, which requires the property to be rezoned to L-O prior to issuance of any building permits. A short plat consisting of four building lots is also proposed. This property is an undeveloped enclave surrounded by developed properties in the city. An assisted living facility exists directly to the south. Office uses exist to the north and single family residential properties exist to the east. A conceptual development plan was submitted as shown that depicts four 3,550 to 3,600 square foot office buildings with associated parking. Access is proposed via the existing backage road along Ten Mile Road from West Belltower Drive. The street buffer associated landscaping and sidewalk along Ten Mile Road was installed with the Bridgetower Crossing Subdivision improvements. The Commission recommended approval of the proposed rezone. I will go over the summary of the Commission hearing. Jessica Petty and David Moorhouse testified in favor. No one testified in opposition or commented. Written testimony was received from Jessica Petty 12.15 Design, the applicant's representative, in agreement with the staff report. There were no real issues of discussion by the Commission and no changes to the staff recommendation and no outstanding

issues for Council tonight. No written testimony has been submitted since the Commission hearing and staff will stand for any questions.

Simison: Thank you, Sonya. Council, any questions for staff? Okay. Is the applicant here? If you would like to come forward and state your name and address for the record. Be recognized for 15 minutes.

Johnson: And, Mr. Mayor, it looks like Jessica Petty is online as well. I think she's speaking for the applicant.

Simison: Okay.

Petty: Hi. This is Jessica Petty with 12.15 Design.

Simison: We can hear you.

Petty: My address is 1897 South Satellite Lane, Boise, Idaho. And, yes, I'm the architect on the project and speaking on behalf of the owner and we are just requesting a rezone from R-4 to the L-O zone. We feel that the L-O zone district is fitting for the neighborhood and consistent with the properties to the north. The L-O zone would allow us to provide new services to the surrounding neighbors and community and we are excited to bring some new businesses into the Meridian area. We would appreciate your support on the rezone request and I'm here for any questions you have.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: You don't have to disclose, but I was just curious if the folks that are living in the area if you have any indication on the kind of users that you expect to come into the development?

Petty: We don't know for sure yet, but we would anticipate just small businesses, you know a dental office, a CPA office, something along those lines.

Strader: Perfect. Thank you.

Simison: Council, any additional questions for the applicant? Okay. Do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, only somebody with the applicant team marked they wanted to speak.

Simison: Okay. So, plenty of time, so go ahead.

Moorhouse; I'm David Moorhouse. 3536 West Ryder Cup Drive. I'm the owner of the property and I'm only here to answer any questions if -- if there is any additional questions.

Simison: Okay. Council, any additional questions for the property owner? All right. Perfect. Is there anybody present who would like to provide testimony on this item at this time or anybody online that would like to provide testimony, please, use the raise your hand feature. Seeing no one raising their hand and no one coming forward, would the applicant like to make any final comments? Jessica?

Petty: No, I don't have anything else to add. Thank you.

Simison: Okay. Then, Council, what's your pleasure?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I move that we close the public hearing.

Borton: Second.

Simison: I have a motion and a second to close the public hearing -- on both items?

Strader: Yes.

Simison: Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearings are closed.

MOTION CARRIED: ALL AYES.

Strader: Mr. Mayor?

Simison: Councilman Strader.

Strader: It looks like a great, you know, kind of neighborhood office serving type of use. I think these types of scale businesses work really well in this type of location. So, considering that, after considering all staff, applicant, and public testimony, I move to approve files number H-2022-0063 and SHP-2022-0013 as presented in the staff report for today's hearing date.

Perreault: Second.

Simison: I have a motion and a second and a request from counsel and -- do we want to separate those, Mr. Nary? Okay. If -- if we can have the withdraw of that motion.

Strader: Happy to withdraw the motion.

Simison: Second agree?

Perreault: Second agrees.

Simison: And we will let you go again.

Strader: Okay. Will do. Mr. Mayor?

Simison: Council Woman Strader.

Strader: After considering all staff, applicant, and public testimony, I move to approve file number H-2022-0063 as presented in the staff report for today's hearing date.

Perreault: Second.

Simison: Motion and second and just for clarification, 0053? Just for the record. Oh, I have 53 on my -- I must have an old one. Oh. We are doing that one. I apologize. I am incorrect. Have a motion and a second. Is there any discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: After considering all staff, applicant, and public testimony, I move to approve file number SHP-2022-0013 as presented in the staff report for today's hearing date.

Perreault: Second.

Simison: I have a motion and a second to approve Item SHP-2022-0013. Is there any discussion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I would like to just say I think this is a great -- a great rezone moving from residential to office in this -- in this specific area. I think this is a really wise move, considering how much -- how much residential has come out to this area. We really need

those services nearby and the opportunities for residents in this area to have their businesses near their home.

Simison: Any further questions -- or comments on the motion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

6. Public Hearing for West Valley Emergency Center (H-2022-0065) by Fulmer Lucas Engineering, LLC., located at Southwest corner of N. Levi Ln. and N. Rustic Oak Way

- A. Request: Development Agreement Modification to the existing development agreement for Prescott Ridge (Hospital Portion) (Inst.#2021-132724) to update the phasing plan and modify the provision requiring noise abatement to be provided along W. Chinden Blvd./State Highway 20-26 to allow for alternative compliance.
- B. Request: Conditional Use Permit for a hospital in the C-G zoning district.

Simison: Okay. Next item up is Item 6, public hearing for West Valley Emergency Center, H-2022-0065. We will open this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. The next applications before you are a request for a development agreement modification and a conditional use permit. This site consists of 16.46 acres of land. It's zoned C-G and located at the southwest corner of North Levi Lane and North -- aka North Rustic Oak Way. This property was annexed in 2021 with Prescott Ridge Subdivision with the requirement of a development agreement. The Comprehensive Plan future land use map designation is mixed-use regional and medium density residential. A modification of the existing development agreement for Prescott Ridge, the hospital portion, is proposed to update the phasing plan and modify the provision requiring noise abatement to be provided along Chinden Boulevard, State Highway 20-26, to allow for alternative compliance. This application does not require action from the Council. A conditional use permit is requested for an 11,241 square foot emergency medical facility on 2.4 acres of land, ultimately planned to be part of a hospital campus on a total of 16.46 acres of land in the C-G district. A modification of the conditional use permit will be required with future development of the hospital in phase three. The City Council previously deemed the access for the emergency room via Rustic Oak a collector street, meets the intent of the specific use

standards that requires hospitals that provide emergency care to have direct access on an arterial street as noted in the development agreement. Access is proposed from two access driveways from Rustic Oak Way, a future collector street along the east boundary of the site. An emergency only access driveway is proposed from the west via Serenity Lane, a private street. Direct access via Chinden Boulevard and State Highway 20-26 is prohibited. An access easement is required to be obtained for the emergency access via Serenity Lane. If not attained, emergency access shall be provided from the south from the cul-de-sac, North Backcountry Place, between Lots 5 and 7, Block 12, in Prescott Ridge No. 3 and a barrier prohibiting access shall be erected at the west end of the frontage road. This is the frontage road we are talking about right here. That is a requirement per our code -- per the Unified Development Code to be constructed. I just wanted to clarify that and say that if they don't have an access easement from Serenity, this private street right here, that they will have to barricade this off until they do have access sometime down the road in the future. The emergency access is not required with the emergency center. However, it will be required with the hospital if the overall area of the building exceeds 124,000 square feet or is three or more stories in height. A 35 foot wide landscape street buffer is required along US 20-26. A request for alternative compliance to UDC 11.3H.4D, which requires noise abatement to be provided for residential and other noise sensitive uses, including hospitals adjoining state highways, was approved by the director based on the noise study submitted by the applicant. A condition was added for a three foot tall berm to be provided within the street buffer for aesthetic reasons. The building will be located over 400 feet to the south of the state highway. A 25 foot wide buffer is required to adjacent residential uses to the west and south. Landscape per the standards listed in the UDC as proposed. A 30 foot wide buffer is proposed with an eight foot tall wall, landscaped with a mix of evergreen and deciduous trees, shrubs, and lawn, which should result in a barrier that allows trees to touch at the time of maturity. Parking is proposed in excess of UDC standards. Twenty-two spaces are required, 47 are proposed. Conceptual building elevations were submitted for the proposed structure. It does not look like I got those in the presentation. I apologize. It is in the staff report. Building materials consist of EIFS, thin stone veneer and corrugated roof screen wall panels. Final design is required to comply with the design standards in the architectural standards manual. Commission did recommend approval of the proposed conditional use permit. Nancy Hunsicker testified in favor. That is the applicant. No one testified in opposition. Cory Coltrin commented on the application. And written testimony was received from Val Stack and Paul Hoyer. Key issues were as follows: An access easement has not been granted via Serenity Lane, a private street, for the proposed emergency access at the northwest corner of the site. Therefore, emergency access should be provided from the south from the cul-de-sac in Prescott Ridge Subdivision. If a frontage road isn't provided to Serenity Lane there would be adequate room to construct a sound attenuation berm and a wall and the applicant could comply with UDC standards for noise abatement for the hospital. There were no changes to the staff recommendation and there were no real key issues of discussion by the Commission. The only outstanding issue for Council tonight is Condition No. 8 in Section 9. It incorrectly states a four foot tall berm is required. It should read a three foot tall berm is required, consistent with Condition No. 3-B. Staff request Council make this correction. There has been no written testimony received since the Commission hearing.

Staff is recommending approval of the proposed development agreement modification. Staff will stand for any questions.

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

Hunsicker: Good evening. Hi, my name is Betsy Hunsicker. It's not quite spelled correctly in the notes, but it's -- my address is 1717 Arlington Avenue, Caldwell, Idaho. Thank you all, Mayor and Council Members. I appreciate you hearing our project again. We have the architect and the civil engineers and others available online if you have technical questions. So, I will be phoning a friend if you all have some -- if you go too deep on me, but I just -- you all are aware this project was previously approved as part of the master development, so we are just back, as Sonya said, for some -- I think fairly -- some changes to the development agreement, but nothing material in my opinion. We are really excited to bring this project to this part of the City of Meridian. You all know better than anyone this is probably one of the most rapidly growing areas in the country and with minimal healthcare services and we are excited to partner with the City of Meridian to be able to support growth and health of the community. As HCA West Valley is a tax paying organization, so we want to remind you all that this property will generate property taxes and income taxes for the city, thereby supporting growth and infrastructure really well beyond what our own use will be. We are proud of 19 consecutive leapfrog in grades and healthgrades patient safety awards five years in a row and I'm really proud of the quality of care that we provide and we look forward to serving the people of Meridian. So, I would like to thank the planning staff for working with us so closely. We are comfortable with all of their recommendations and I will stand for any questions you might have.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Good evening, Betsy. Betsy -- is that right?

Hunsicker: Yes.

Perreault: Could you speak to the two key issues that Sonya just presented regarding the -- the neighbors not being willing to grant access to Serenity Lane? And, then, also if there wasn't a frontage road to Serenity Lane, the room to construct a sound berm.

Hunsicker: The frontage road is required by the city, so -- so, they will have to answer any questions. So, really, not doing the frontage road -- you know, we would be happy to not have to construct a frontage road, but that's a requirement by the city and because of the -- so, I will just leave it at that. You know, we can't not build it. The -- there are -- Ross, who is our civil engineer, can speak better to -- there is some pinch points in there with -- in terms of the size and the easements with several different entities for water and

user -- user groups that make constructing a wall or a higher -- even a higher berm really not feasible, with the road and the pinch points and the other easements. So, hopefully, that's adequate. Our plan -- and we have talked with Hubble, who is the master developer on the project, is to do the emergency access through the south -- through the -- through that Prescott Ridge development. So, that is our plan, regardless of what the Serenity Lane neighbors choose to do with the easement -- or granting us access. Our plan is to use that south -- south access. That's not required for this phase of our project. That would be required in a future phase. So, at this time -- correct me if I'm wrong, but I don't believe that emergency access is required until a future phase. I hope that answers your question.

Simison: Ross is in -- in the room now if you would like him to answer or if he has anything to add.

Lucas: Yes. Thank you. Ross Lucas here and, hopefully, everyone can hear me okay. We -- I will just add to what Betsy said. The -- the -- the -- the space constraint in terms of building a wall or berm and wall combo, because of the need to construct the frontage road, that doesn't go away. The road has to be constructed regardless of the -- of the -- of its use for emergency access. So, that constraint is still there. I will just reiterate what -- what planning staff had -- had stated in that, you know, a noise abatement study was -- was conducted by an acoustical engineer and the -- the hospital and -- in phase one, FSR here, are sufficiently far away from the road that noise will not be an issue for -- for our patients or users of the facility.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I have a question for staff if you don't mind, but you may want to stay up here. So, for -- oh. Sorry. Lieutenant Leslie. Well, we will get -- we can go to you first or we can go to Deputy Chief Bongiorno. But my question for you -- for both of you guys would be is it an issue to have the emergency access to the south? Like does that impact our response time? Is that problematic? Could you just both, please, comment on -- on -- you know, it's obviously a big change.

Bongiorno: Mr. Mayor and Council, the -- as we discussed with that last project across the street, literally, the access time -- again, Station 5 is going to be the closest. It's going to come straight down Chinden and up Rustic Oak. Station 8 will do that cut through, like we talked about, to come to Rustic Oak. They can cut through The Oaks and through the Hubble development to get to this point. So, there is two points -- two directions this way. The problem they get is in the future when the -- when the building is larger, they have to have, by the fire code, a separate entrance by code and that's that half the diagonal of the property apart. The access out to Serenity Lane at this point is the -- is the easiest way to do it and that gives us very two distinct access points to the property. I did look at the cul-de-sac and I -- I said that is acceptable as well, because it will also meet that half the diagonal rule. So, either one is fine for the fire department.

Strader: Perfect. Thank you. Mr. Mayor?

Simison: Council Woman Strader.

Strader: If the police department wouldn't mind if -- if they have a similar take on it or anything different to add.

Leslie: And, Mr. Mayor, Council Woman Strader, we don't have a concern over the entrances where ever they are at. Our response is, obviously, a little bit different than the fire and the apparatus. So, we are -- we are good with either of them.

Strader: Perfect. Thanks.

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

Hunsicker: Thank you.

Simison: Mr. Clerk, do we have anybody signed up to provide testimony?

Johnson: Mr. Mayor, we did not.

Simison: Okay. Is there anybody in the audience that would like to provide testimony on this item? Or online if you would like to provide testimonies use the raise your hand. Seeing no one coming forward or no one raising their hand, would the applicant like to make any final comments now that she sat down. Okay. We are -- we are waiving final comments. Okay.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I do have a question for staff.

Simison: Okay.

Perreault: So, under the conditional use permit section in the staff report, under the specific use standards, letter B, it says accessory retail uses, including but not limited to retail shops, food or beverage service, personal service shops, may be allowed if designated to serve patrons of the hospital and their visitors only. Is that applicable to the hospital and emergency services buildings only or is that -- does that apply to the -- the building that's going to be in phase two?

Allen: Just one -- one moment here. That applies specifically to the hospital use. The building in phase two is a medical office building. It -- it does have -- it's -- I won't speak

to that. It's not part of this application. But to answer your question, it just applies to the hospital.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Just one more question about phase two if I may. That is a lot of parking and I don't know what -- I don't know if that's something that is handled at a later time, because we don't know who the user is going to be, but how -- how will that work? I mean this is just a concept plan at this point; right? But it seems like that's a significant amount of parking, whether it's a restaurant, whether it's a medical office use. I don't know how large that building is in comparison, because it's not to scale. So, I'm just wondering, since we have this DA modification open, how that is intended to play out and -- and I did -- wanted to ask that question before the public hearing was over in case the applicant could come speak to it.

Allen: Yeah. Mr. Mayor, Council Woman Perreault, Council, yeah, it is -- I hate to muddy the waters with another part that's not part of this application, but it is -- it is proposed and approved in the concept plan to be a medical office building. There are proposed to be and required to be retail and restaurant uses on the ground floor. The hospital building -- most of the -- most of the parking is for the medical office building and the hospital that will come in in the future.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, that parking will -- the -- the -- all the buildings will utilize the parking jointly. The parking won't be separated?

Allen: No.

Perreault: Okay. Thank you.

Johnson: Mr. Mayor, there is a hand raised.

Simison: I see that. We -- I don't know if the person is related to the applicant. Doug Haneborg. Is that part of your -- so, I will leave it up to Council if you want to hear additional testimony or not and, then, give the applicant an opportunity again after that. Okay. Then we will reopen -- or it hasn't been closed, but continue the public testimony. If you want to bring in Doug.

Johnson: You are able to speak now, Doug.

Haneborg: Can you guys hear me okay?

Simison: Yeah. Speak up a little bit.

Haneborg: Okay. Yeah. This is Doug Haneborg. I'm at 6002 North Serenity Lane. I'm the HOA president of Peregrine Heights, which is the owner of Serenity Lane there. So, I just -- I didn't -- I don't really have a lot to say. I just -- I think I heard one of the Council Members ask like what some of the concerns were. So, with that lane connecting to Serenity Lane, the emergency lane -- so, I don't know if you guys wanted me to answer that or not.

Simison: I mean if you have something to add I would go ahead and do it.

Haneborg: I just -- I think with most of the neighbors there our -- one of the major concerns is is that this is a private lane and it's not as wide as most roads and so we are just concerned with the access point there being the first right-hand turn in off of Chinden coming from the west, which we are going to be, you know, very close to the intersection of Highway 16 and so if there is, you know, connection point there and signage and things like that, it -- it concerns us, because we have kids and things and our road is not very wide. I think we addressed a lot of this earlier in the other meetings, but I didn't know if I needed to, you know, expand on that or -- or help answer that question, because it sounded like some of the Council Members maybe weren't sure, you know, why we have those concerns.

Simison: Council, any questions? No questions. Thank you.

Haneborg: Okay. Thank you.

Simison: Would the applicant like to come forward and provide final comments?

Hunsicker: Thank you, Mr. Mayor and Council. I just -- yeah. We understand the neighbors concerns and -- and so that's why we will -- you know, but we are required to build the road. We will put barricades, so it can't be used. We won't have signage at that location. So, you know, we will do our best to deter any usage of that road, since it's not -- and there is also going to be a barrier on the -- on the -- the building end of the road. So, you can't have a person drive all the way up there and get stuck kind of at the end. So, we will have it barricaded, basically, on each side, which seems a little silly, but that's what we are going to do. The other thing I just want to clarify, just to make sure, because I wasn't clear in terms of the response. I'm just going to clarify. The phase one is an emergency room only. There is no retail in phase one. Okay. Then phase two -- and -- and the parking would be just a fraction of the total parking, so -- and, then, the MOB would have the retail stage. So, I just wanted to make sure that was clear to everyone. So, thank you all very much again. If there is any other questions I'm happy to answer those. Otherwise I will sit down.

Simison: Council, any questions?

Hunsicker: Thank you.

Simison: All right. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we close the public hearing for West Valley Emergency Center, H-2022-0065.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I would like to make a motion, but I do have a quick question for staff first.

Simison: Okay.

Perreault: Given the mention in the staff report about the access easement and whether -- which -- which access the applicant will use, do we need to modify the staff report in the motion to specifically state that the city is asking the applicant to use the access to the south?

Allen: Mr. Mayor, Council Woman Perreault, Council, no. The staff report accounts for that.

Perreault: Okay. Thank you. Sorry about that.

Simison: Council Woman Perreault.

Perreault: I move that -- excuse me. After considering all staff, applicant, and public testimony, I move to approve File No. H-2022-0065 as presented in the staff report for the hearing date of December 13th, 2002, with one correction to Condition 8, in Section 9.A, which incorrectly states a four foot tall berm is required, it should say a three foot tall berm, which is consistent with condition 3-B.

Borton: Second.

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

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

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

MOTION CARRIED: ALL AYES.

Simison: Thank you very much and good luck. With that we are going to go ahead and take a five to ten minute break and so we will reconvene here shortly.

(Recess 8:00 p.m. to 8:10 p.m.)

8. Public Hearing for McDermott Village (H-2022-0056) by Boise Hunter Homes, located at 3235 N. McDermott Rd., at the northwest corner of W. Ustick Rd. and N. McDermott Rd.

- A. Request: Annexation of 40.05 acres of land with R-15, R-40 and C-G zoning districts.
- B. Request: Preliminary Plat consisting of 85 building lots (81 townhome, 1 multi-family, 3 commercial lots) and 8 common lots on 40.05 acres of land in the R-15, R-40 and C-G zoning districts.
- C. Request: Conditional Use Permit for a multi-family residential development consisting of 250 dwelling units on 12.19 acres of land in the R-40 zoning district.

9. Public Hearing for McDermott Village Variance (VAR-2022-0004) by Boise Hunter Homes, located at 3235 N. McDermott Rd., at the northwest corner of W. Ustick Rd. and N. McDermott Rd.

- A. Request: Variance to reduce the minimum lot size in the R-15 zoning district from 2,000 square feet to 1,694 square feet.

Simison: All right. Well, we will go ahead and come back from recess. Next item on the agenda, since we did dispense with Item 7 earlier, we will move on to Items 8 and 9, which is a public hearing for McDermott Village, H-2022-0056 and public hearing for McDermott Village Variance, VAR-2022-0004. We will open both these public hearings with staff comments.

Allen: Thank you. Just a moment here. All righty. So, the next applications before you have a request for annexation and zoning, preliminary plat, conditional use permit and a variance. This site consists of 40.05 acres of land. It's zoned RUT in Ada county and it's

located at the southwest corner of North McDermott Road and West Ustick Road at 3235 North McDermott Road. The Comprehensive Plan future land use map designation is mixed-use regional. The annexation request consists of 40.05 acres of land with R-15, which consists of 17.12 acres. R-40, which consists of 15.85 acres. And C-G zoning, which consists of 7.08 acres. A conceptual development plan was submitted with the annexation request that depicts how the site is proposed to develop with the extension of State Highway 16 through the site. An interchange is also planned at Ustick Road. Two types of land uses are proposed. Commercial, a fuel sales facility and convenience store, and flex commercial office uses and residential, multi-family and townhomes. No employment or public uses are proposed and it's unlikely any of the proposed uses will have a regional draw. The site is designed with the commercial uses along Ustick Road, with an integrated plaza area between the two northern buildings and multi-family residential to the north along future State Highway 16. Townhomes are proposed on the east side of future State Highway 16 along McDermott Road. This is the only property in this area with a mixed-use regional designation. This designation was requested by the applicant with the 2019 Comprehensive Plan update. That, along with the property being bisected by the State Highway 16 extension, which reduces the size of the property from 40 acres to 26.5 acres, makes it difficult to develop entirely consistent with the mixed-use regional designation. Because an interchange is planned in this area and access is limited, the Comprehensive Plan states retail and auto generated services should be minimized and transition rapidly from the interchange to residential uses near the county line, which the plan proposes. For these reasons staff is amenable to only two land uses, instead of three, as typically desired and called for in the comp plan and the lower intensity of uses, primarily residential, rather than more intense commercial uses as is typically desired in the mixed-use regional designation. Additionally, interconnectivity and a full integration of uses within the overall site is not possible due the State Highway 16 extension, as typically desired in mixed-use designated areas. Therefore, staff finds the proposed annexation, zoning and development is generally consistent with the mixed-use regional designation and appropriate for this site. The proposed preliminary plat consists of 85 building lots, 81 townhome, one multi-family and three commercial and eight common lots on 40.05 acres of land in the R-15, R-40 and C-G zoning districts. Conceptual development -- or excuse me. A conceptual phasing plan was submitted that depicts the site developing in three phases, with the multi-family residential developing first, townhomes second and commercial last and that is the plan up in the upper right-hand corner of the screen there. Access is proposed to the portion of the site west of future State Highway 16 extension via public street from Ustick Road. A stub street is proposed to connect to the future development to the north, Aviator Springs, and a stub street is proposed to the school property to the west for future extension and connection to North Owyhee Storm Avenue, a collector street. Private streets are required within the multi-family residential development for addressing purposes. Cross-access and ingress-egress easements should be provided between all C-G zoned commercial lots. Two accesses are proposed via McDermott Road, a collector street, for the townhome portion of the development east of future State Highway 16. McDermott Road is planned to dead end in a cul-de-sac just north of Ustick Road when the interchange is constructed. An emergency only access is proposed via Ustick Road. Alleys are proposed for access to some of the townhome units as depicted on the plat. Some of the townhome lots do not

meet the minimum lot size standards of 2,000 square feet and will need to be revised or Council may approve the variance application that was recently submitted for that dimensional standard and I will go into that a little bit later in my presentation. A ten foot wide multi-use pathway is proposed along Ustick Road consistent with the pathways master plan and another ten foot wide north-south pathway is proposed along the west side of future State Highway 16, consistent with the pathway location in the developments to the north. A 35 foot wide landscape street buffer is required along future State Highway 16 and McDermott Road, both designated entryway corridors. Noise abatement is required within the buffers along State Highway 16 that abut residential uses in accord with UDC standards, which require a minimum ten foot tall berm or berm-wall combination that's a minimum of ten feet higher than the elevation at the center line of the state highway. An open space exhibit was submitted as shown for the townhome portion of the development that depicts qualified open space in excess of UDC standards. A minimum of 1.8 acres is required. A total of 3.3 acres is proposed, which consists of open grassy areas of at least 5,000 square feet and linear open space. A minimum of two points of site amenities are required per the UDC point value table. The applicant submitted an exhibit depicting two pickleball courts, at four points each, which exceeds UDC standards. The Skypilot Drain crosses the southern portion of the site within a one hundred foot wide easement. The Eight Mile Lateral crosses the northeast corner of the site within a 50 foot wide easement and the Noble Lateral runs along the east boundary of the site within a 40 foot wide easement, 20 feet from center line each side. All waterways are proposed to be piped. This project is not within the floodplain. A conditional use permit is requested for a multi-family development, consisting of 250 dwelling units on 12.19 acres of land in the R-40 zoning district. The proposed development will have 12 three story multi-family structures and a 9,055 square foot amenity building centrally located within the complex. Six different floor plans are proposed with a mix of units consisting of one, two and three bedroom units, ranging from 712 to 1,278 square feet in size. Private open space is proposed in accord with UDC standards. Qualified open space is proposed in accord with UDC standards. A minimum of 2.74 acres is required. A total of 3.35 acres is proposed, which consists of central common and amenity areas in a pedestrian corridor where a multi-use pathway is planned in excess of UDC standards. Proposed amenities include a clubhouse with a fitness facility, a swimming pool and a spa, with cabanas and an outdoor lounge area. Ten foot wide multi-use pathways and internal walking trails, a plaza, a pickleball sports court and a bike repair station. A barbecue area is depicted on the site plan. Staff recommends this area is constructed as a commercial outdoor kitchen. An outdoor seating area is also depicted on the plan. Staff recommends this area is constructed as a picnic area with tables, benches, landscaping and a shade structure. Staff also recommends that a children's play structure is provided. Staff is of the opinion these upgrades and addition of an amenity, the play structure, is commensurate with the number of units proposed. Just as a side note, the Commission did change that and did strike Commission -- or staff's recommendation on that. So, that is reflected in the conditions of approval. Conceptual building elevations were submitted for the proposed structures as shown. The townhomes are proposed to be two to three stories in height. The multi-family residential structures are proposed to be three stories in height and the clubhouse is proposed to be -- is proposed to be a single family -- excuse me -- single story in height. Building materials consist of a mix of vertical board and batten, fiber

cement siding and horizontal lap siding with brick veneer siding and wood ridge beam accents. Metal awnings and asphalt shingle roofing. No elevations were submitted for the commercial portion of the development. The final design of all buildings on the site are required to become consistent with the design standards in the architectural standards manual. A variance is requested, as I mentioned earlier, to UDC Table 11-2A-7 to allow 44 of the 81 townhouse lots on the eastern portion of the development to be reduced from 2,000 to 1,694 square feet. In order to grant a variance City Council must make the findings for such, which state the variance relieves an undue hardship because of characteristics of the site and the variance shall not be detrimental to the public, health, safety and welfare. And that is -- the townhome lots are right here on the east side you can see. The applicant's narrative states that there are several characteristics of the site that create an undue hardship and I'm sure the applicant will go into those. They are in the staff report I'm sure you have reviewed as well. Although these characteristics do exist, staff finds they do not prevent the applicant from reducing the number of lots within the development in order to comply with the minimum lot size standard. If a variance is approved, alternative compliance will also be necessary to reduce the street buffer along McDermott Road, an entryway corridor, in order to accommodate the proposed layout. Reducing the number of building lots will allow compliance with the minimum lot size standards, as well as the street buffers. Therefore, staff is not supportive of the proposed variance request. The Commission recommended approval of these applications, except for the variance. That's a Council only decision. Summary of the Commission hearing is as follows. Travis Hunter, Josh Evarts and Todd Tucker testified in favor of the applications. There was no testimony in opposition. Ron Hopper, Rod Green and Paul Elam commented on the application. Written testimony was received from Todd Tucker, Boise Hunter Homes, and a Meridian resident. Key issues are as follows: Additional traffic on Ustick and McDermott Roads. Transition of the McDermott Village development to the rural residential in the area. Amount of development occurring in the area. And schools and businesses are overcrowded and more large residential developments are being approved without additional services. Key issues of discussion by the Commission was the timing of the construction of State Highway 16 and the commencement -- completion of phase one construction. Impacts of increased traffic on Ustick Road. The Commission made the following change to the staff recommendation. The Commission modified DA provision A-1-F to read a ten foot wide multi-use pathway shall be provided within the street buffers along Glassford Avenue adjacent to State Highway 16 within a 14 foot wide public use easement and they modified condition of approval 10-K to replace the commercial outdoor kitchen with an outdoor barbecue. The outstanding issues for Council tonight -- the applicant requests Council waive Condition A-1-C in Section 8 that requires a 25 foot wide landscape buffer adjacent to the Flowers' property along the west boundary of the proposed development. This request was supported by the Commission and staff took a little closer look at that and this requirement does not apply because of the right of way, which will separate the subject property from the residential property. So, staff is supportive of removal of this condition. There has been no written testimony since the Commission hearing. And, again, staff is recommending denial of the proposed variance application. Staff will stand for any questions.

Simison: Thank you, Sonya. Council, questions for staff?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. Mr. Mayor. Sonya, I had a quick question on that -- where you talk about the alternative compliance will be necessary to reduce a street buffer along McDermott Road, an entryway corridor, in order to accommodate the proposed layout and when I think -- when I heard the term entryway corridor I'm thinking -- but doesn't that dead end? Is it the entryway corridor to the development? Is that how you are using it or what -- what does that mean, it's an entryway corridor?

Allen: Mr. Mayor, Councilman Hoaglund, Council, I -- I'm -- I'm afraid it's probably a little outdated, but it is on our plan as an entryway corridor and that was prior to the current design and -- and plan for it to dead end. But, nevertheless, it is designated as an entryway corridor. Thank you.

Perreault: Mr. Mayor?

Simison: I think Councilman Borton wants to follow up on that.

Borton: Yeah. Just to close the loop on that. So, that -- that reference -- either it's incorrect or it's not helpful to us in making the decision on the variance. Would you agree? I mean it isn't -- it isn't an entryway corridor for the purpose of that determination.

Allen: Do you mean the alternative compliance?

Borton: Yeah.

Allen: That's a staff level director decision on that that would be required to submit -- be submitted later. That application has not been submitted.

Borton: But was that something to alleviate the -- the problem caused by it being an entryway corridor?

Allen: I don't know. The applicant has not submitted that application.

Borton: Okay.

Allen: But it just doesn't meet our standards, so that's why it's called out.

Borton: Okay.

Simison: Council Woman Perreault.

Perreault: Thank you. So, there is no pedestrian access between the two residential areas. Are the townhomes going to be permitted to access the clubhouse and would they be driving to that location and was that taken into account with parking spaces?

Allen: Mr. Mayor, Council Woman Perreault, I -- I think the applicant could probably answer those questions for you in their presentation. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I was just curious if we have Kristy from ACHD tonight regarding Ustick specifically.

Simison: I did not see her earlier.

Strader: Okay.

Simison: We have one listener with a number which I am not familiar with.

Strader: Okay.

Simison: So, probably not.

Strader: Okay.

Simison: Council, any additional questions? All right. Then ask the applicant to, please, come forward.

Hunter: Good evening, Mr. Mayor and Members of the Council. Travis Hunter. 923 South Bridgeway Place. Thank you for your attention tonight. The project we are bringing before you is a property that my family's owned for over a decade. When we originally bought this property our thought was to do high quality single family detached, which is kind of the bread and butter of what we do everywhere around the valley, but as we watch Meridian grow and evolve it became clear that this property is unique and our plan had to be dynamic. So, about eight years ago we learned that the freeway intersection was coming through the middle of the property. Then four years ago we learned that our neighbors were Owyhee High School and, then, in the last few years our valley has really been hit with the reality of housing types and -- and the affordability of housing. So, what we are bringing before you tonight -- it's a product of assembling the right team. The team being ourselves, the Pacific Companies, who we have partnered with, who are some of the best multi-family developers around the country. The architecture has been done by Pivot North and the landscape design by GGLO, both who produce fantastic product region wide. We have worked with staff for a while -- for about two years now on the plan and we thank them for all their effort they have put into this. With that I will turn the presentation over to Josh with the Pacific Companies.

Evarts: Good evening. Josh Evarts. 303 East State Avenue, Old Town, Meridian. 83642. Yeah. So, I am the development manager on this for the Pacific Companies. Do we have the presentation up here? Thank you, Sonya. Yeah. So, I'm going to walk through. I -- I get the -- I get the distinct pleasure of representing sort of the whole team here and being able to kind of share the two year journey that we have been on that led us to a staff recommendation and a P&Z approval -- or at least a P&Z approval for you guys to consider tonight. So, a lot of hard work went into this. So, let's get into it. So, this is the McDermott Village project. The team is great. It really is. When Caleb asked me last summer to get involved with this I said who are the people that are working on this. He is like, well, do you know Jim and Jan Hunter? I'm like they are good friends. And that's the kind of people that we should be doing projects with. So, great team. We are going to -- we are going to tell some stories tonight. We are going to make an ask of you. We are going to look at the impact of Highway 16 and I hope that by the end of the night we are going to come to a conclusion of doing a great development here that's aligned with the Meridian comp plan. So, the property. Forty acres. Acquired in 2006. Again, like Travis said, with the goal of -- of single family housing development. Strategic corner. Path of growth. 2017 ITD redefined the final five miles of Highway 16, which forced us to look at how we tackle a site like this. Development justification. The product that we are looking to bring is already identified as mixed-use regional, as asked for in 2019 on the future land use map. Our proposed development aligns with the proximity. We really did look at this entire site and treated Owyhee High School as that regional draw element and, then, our development wanting to come alongside and provide a great transition to the adjacent land uses. So, the ask that we have is, number one, an annexation request. The property is at the Meridian area of impact and adjacent to city limits along the northwestern property lines. Mixed-use regional does give us some guidelines. A mix of employment, retail, residential dwellings in a range of four -- or six to 40 dwelling units per acre. We are on the low side of that at 12 -- 12 and a half units per acre on this site and I think you are going to see that as a recurring theme of open space, green space, and -- and -- and looking to make something that's very transitional. We have a rezoning request to support this. R-40 for the mixed family. R-15 for the townhomes and commercial C-G down alongside the southern part of this property. So, the ask that we have is a preliminary plat request also. In the R-40 we have 250 dwellings, the multi-family R-15, 81 townhomes, and, then, the commercial. We have been pretty excited about the commercial. We have probably got more questions about that. People have seen what happens outside of Rocky Mountain High School and the activation that happens along that side and currently there is nothing around Owyhee High School. So, we have seen that as -- as something that's been pretty exciting to talk about as part of this project. We have a conditional use permit that's required per Unified Development Code for the R-40 as well. So, let's talk about the challenge. Highway 16 effort was initiated in 2006. Phase one was completed in 2014. Phase two design finished in 2020. It's currently funded. And what does this really look like? So, this is data that we have compiled from ACHD and ITD. We wanted to get some details to you guys. So, the construction on this is already taking place. So, there will be a highway that bisects the property that -- that we are talking about tonight is the yellow property. But you can see the two pink dots of McDermott Road, that that's been cul-de-sac'd ultimately and they have a new McDermott Road that's going to wrap around and all this work -- this is one

of the questions that we got by P&Z is when it was going to be completed and how does that align with ours. This will be done before our project is done. Even the phase one multi-family. So, all of this infrastructure and -- and road and -- and -- and the improvements to Ustick beyond our property is all going to be improved before our product comes online. So, our approach to this, as we looked at the impact of Highway 16, was to, number one, conduct an assessment. Look at this mixed-use regional draw, look at Owyhee High School, look at the things that were going on out there and -- and really assess things and -- and -- and approach this site comprehensively. It's a challenge when you look at this mixed-use regional designation and you have a property that's cut in half. So, we wanted to look at it comprehensively. I really applaud Jim and Jan Hunter for making that pivot away from single family homes and saying, hey, we -- we need to look at a product that fits in this space and assemble a great team and, then, the Hunter family in general has just been a great partner. So, things that we have already done to the site in preparation for Highway 16 is we have gone through the cost and installation of the north sewer main, south sewer main that's going to serve everything on either side of Highway 16, as well as we have granted a water line easement to the City of Meridian across the front of this property. So, our solution, then, to this problem is McDermott Village. A mixed-use regional development. Mixed-use regional programming that's in line with the comp plan. Leveraging the regional draw of Owyhee High School. A multi-family lifestyle community, single family townhomes, retail, office and amenities for the region and a lot of integrated green space and the common goal really as we met as a team to shape this, was meeting a really really big Meridian housing need. So, this is, obviously, the passion of Pacific Companies. You know, we are still sitting at a median house price that's north of -- of a half a million dollars and if you are a banker that means that you have to have an income of 165 to 200 thousand dollars to be able to afford to buy that. So, we have a problem right now. And so as we looked at this project we said, look, not only can we provide a multi-family apartment option, but we can also provide some townhomes that allow those first time home buyers to get into something that they maybe can afford, because, frankly, the people that work for me, bartenders, tobacconist, things like that at The Vault, teachers that are going to be working literally across the parking lot from this project, they are not making 165 to 200 thousand dollars a year, so it's not an option for them to be a homeowner. So, we have to have some products like this that we can bring online. So, the comp plan. This is the -- the -- the mixed-use regional sample that's provided in the comp plan. We did our own kind of colored derivative of this for this project. So, if we look at the actual data overlay here, the brown, which is the townhomes over on the east side of the project, we have got 81 townhomes in there. The yellow is the 250 apartments. We have got 15,000 square feet of -- of proposed or -- or planned for retail office space. Thirty-two percent of this project is open space, including plazas, pickleball courts, walking paths that connect the multi-family to the commercial, to Owyhee High School. We were given very specific instructions as we worked with staff about providing easements directly into Owyhee High School and activating that. We provided that. And site amenities, 9,000 square foot clubhouse, with an indoor kitchen, including all those great things. Bicycle repair. Like very very cool stuff. Outdoor barbecue and pool and spa. So, pretty -- pretty exciting project that I think that even though it's divided I think provides a -- a great product for this mixed-use designation. So, as we look at some elevations, this is looking north at the multi-family,

but we are taking into account some of the commercial elements. I think of interest is our goal with the commercial. This will be part of the things that I work on is looking at things that, number one, are -- are tied very very closely with the regional draw, which is Owyhee High School, so we are looking at physical therapy offices, we are looking at dentists, we are looking at things -- potential daycare, things that are -- things that are very very closely tied to the mixed family -- mixed-use family or multi-family and the high school. We certainly think there is opportunities for food options here. There could be an opportunity to put fuel service on the site. Just exciting things that -- that tie with that regional draw. As we look west at the multi-family, you are going to see just some of that -- that green space that we are looking to provide. Look at the commercial public plaza. This is a lot of GGLO's work. We wanted this to be beautiful and places that people were really proud of and places where people wanted to live. Some of the townhome elevations are included in here and so when we get to the staff comments, I'm going to kind of drill down on two -- the two main issues that I think will be of discussion and concern for you guys. So, we, first of all, have this 35 foot wide buffer along Highway 16. So, I have got these two sections highlighted here. I'm going to talk about each of them independently. So, on the west side of Highway 16 we have a 33 foot wide buffer. So, we are not concerned about this side. Code allows for a ten percent reduction, which can be supported with -- with our current buffer. So, we are not terribly concerned about that side of the highway. When we get over to the other side of the highway, on the east side, at the very north part of the property we have one little pinch area that gets down to 26 feet. So, one of the things that we are going to be looking for is an alternative compliance on this. So, the spirit of this code, this 35 foot, is that we are 35 foot off of this highway. The reality is is when you take into account the buffer that's provided -- and we are talking about a buffer to the on ramp and, then, we are talking about the sound walls and, then, the 26 feet that we provide, we actually have 76 feet between the edge of the on ramp and this one little corner of the building at the top, this last lot, and the reason these individual lots actually -- and kind of why we are asking for the variance and the considerations is every lot that we lose -- we are only talking about 81 lots. The -- the cost of developing the site is going to be the same regardless of how many lots we get and so we are trying to keep the cost down on these things, because we are trying to make sure that the product is, in fact, meeting the affordability needs that we are trying to attack here. So, that's our -- that's our 35 foot alternative -- excuse me -- alternative compliance that we are looking to address. The other challenge that we have where we are looking for a variance is the 2,000 square feet. So, per code, as staff talked about, it must relieve an undue hardship, because of the characteristics of the site. It must not be detrimental to the public health, safety, welfare. We are certainly -- I don't think we are -- we are suggesting something that's detrimental to health, safety and welfare, but we do have an undue hardship. We have got a -- we have got a number of things happening on this site and -- and part of them have been I think in good faith with us working with staff over two years. So, for example, if we look at the -- we -- we have the obvious of number one on that -- on that little bubble diagram, we have Highway 16. We have got the pinch of McDermott on the other side. We have the buffer that we have to do on the south. We have this hundred foot wide Skypilot Drain that we can't do any development on that we have to maintain, that we turned into green space. But we also made an additional consideration on the north part of the property. Based on staff's good recommendation to put pickleball courts

and provide some more buffers. So, we have -- everything in here is pinched and so in order to make what we thought would be the right number of lots, we had to take 44 of the 81 lots, which were the ones that are in yellow on the far right of your screen and those are the ones that we took from 2,000 square feet down to roughly 1,700 or 1,694. So, that's our ask. Now, what I will tell you is this is not a hill we are going to die on. So, if you guys decide not to award that variance we are not -- we are not not building this project. We would just look -- if you look at the stack here we have got nine sections of townhomes. We would be taking one lot out of each of those to get to that 2,000 square feet. The net impact of that is a ten percent increase, then, in those lot costs for ultimately the homeowners that are going to be on there and that's really the decision that's -- that's before you. If we talk about first time home buyers, I think we have seen it in the last six months that one to two thousand dollars, you know, these -- these interest rate increases, have bumped people out of their loans and so we have really been fighting to make sure that, hey, can we get -- can we take this site -- can we take the -- the -- the hardship that -- that -- that -- that was kind of transacted and -- and presented to us and can we turn it into a win on this site. So, that is the variance that we are asking for here and with that I will open it up for questions.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Questions about two topics. Ustick and affordability. So, my understanding was that Ustick wouldn't be widened until 2026. So, could you talk about that a little bit? I wish we had ACHD on. We usually do, but I think they are really jammed right now. If you guys could just talk about how the timing of the connection off of Ustick is going to align with the development plan.

Tucker: Mr. Mayor, Council Member Strader, Todd Tucker, Boise Hunter Homes. 923 South Bridgeway Place in Eagle, Idaho. So, you are correct, a portion of Ustick Road won't be improved until 2026. But as far as the -- the stuff that you see highlighted in pink on the screen right now that is directly adjacent to our property, that -- everything that you see in pink is being constructed with the extension of Highway 16 that's going on right now. So, if you go to ITD's website, that's where we pulled this general description from. So, basically from the new McDermott Road that the -- the bypass road that goes to the east past our property and almost to Owyhee Storm, all of that section of Ustick Road, according to ITD's website, will be constructed with the extension of Highway 16 that's going on right now. So, I believe the portion of Ustick Road that goes further to the east from this, that is in a later section to be widened in 2026, but this section immediately adjacent to our property is to be constructed with this extension.

Strader: Got it. Mr. Mayor, if you don't mind if I just --

Simison: Council Woman Strader.

Strader: Thank you. No. That's helpful. I mean -- so, look, to the extent that an individual is commuting, you know, to Boise or something, hopefully they are taking Highway 16. That's good. To the extent that they are commuting more within Meridian it's a little problematic where we are at right now today with Ustick. You guys brought up affordability. It's really interesting timing. We are having a discussion with our Planning Department right now about relaxing some of our standards for housing to encourage affordability. Can you either speak to the affordability you are providing, either like a range of price points or as a percentage of market? You guys are asking for a variance. It will increase your available units by ten percent. Would you be willing to set aside a portion of your housing at a certain percentage of the median income in exchange for that variance? How are you thinking about this? Just to have an open discussion, because they aren't talking a lot about relaxing our typical standards for affordable housing.

Evarts: Yeah. Yeah. Mr. Mayor, Council Woman Strader, I think it's a great question. I think it's -- I think it's a little bit premature. We have been throwing numbers around anywhere from 20 to 30 percent. We think we are going to be under comparable products as we looked at some of the pricing in some of the developments around it. Obviously, we are at the end of a cul-de-sac. We have 2,000 to 1,700 square foot lots. Even though there are some great green spaces and pickleball courts and some people might like to, you know, be at the end of a cul-de-sac that's a little bit quieter, we know that it's -- you -- you have to drive, you know, all the way around in a big circle to get -- so -- so, we think the product is going to be -- it -- it's not going to be the typical home that Boise Hunter Homes builds, which are typically second, third homes that people buy. This will be a first home kind of purchase. But we haven't -- we haven't settled on any kind of numbers and we are starting to see like construction costs flatten a little bit. You know, ultimately the desire would be -- because this is phase three or phase two, depending on how fast the commercial moves. Hopefully we see some -- some -- some settling of some of those costs that would drive it down further. But our goal with this product is that it is going to be housing that is going to be below market and below averages. I think it would be inappropriate for us to -- as part of an agreement, you know, agree to some kind of percentage of something. But our whole goal with this project is to create things -- especially on the townhome side, first time home buyers in being able to have a product that, you know -- and even though the square footage of these -- of these sites are between 2,000 and 1,700 square feet, that's not the size of the townhomes; right? You know, if they are multiple stories and stuff. That's just the lot sizes.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I mean that gives me something to chew on I guess. You know, do you -- you know, do you require that variance -- at what -- at what phase do you require that variance decision? I mean a lot of the rationale besides hardship for -- at least from my perspective in terms of what you are saying is -- is an affordability rationale. So, I guess I'm wondering is there a later point where we could have that discussion in terms of, you know, either what you guys are targeting or setting aside units for affordable housing or

something along those lines. I'm just trying to think creatively, because this is a holistic discussion we have been having in the city and we are taking a look I think maybe next week at looking at changing some of our standards, like even setbacks, you know, minimum lot sizes, et cetera, for just this type of housing. So, it's just fortuitous timing. I guess I was just curious when you need that decision.

Evarts: You know, I want it tonight, because I just want it tonight. But what I would offer is that there really is -- this isn't just a standard variance ask, you know, for -- for size. Like this is a really -- this is a -- this is a tough tough deal to deal with a highway going through the middle of your property. I think the track record of -- of the Hunter family and -- and certainly Pacific Companies as well has been, you know, trying to bring housing to Meridian, as well as other sites in -- in the Treasure Valley. If you are telling me that it would be more comfortable to have a conversation later, it sounds to me like you guys are moving in that direction regardless. So, I don't know that necessarily -- first of all, the project's not at risk. If you guys decide not to do a variance we are -- we are -- we will -- we will -- we will go build and we will do 80 -- or 72 lots, instead of 81. But we do think it's an opportunity to -- to end this crisis, do something that's strategic on a site that just screams for it. Like this is of -- of anything that I have seen, this is -- this is a little bit of a no brainer.

Strader: Thanks.

Simison: Todd, since you are there, just curious, the improvements that are shown on the ITD -- are these subject to any of the funding that still needed to go to ACHD or will these be covered by ITD, their costs part of the project, don't need to worry about the ACHD fix in the legislation?

Tucker: Mr. Mayor, great question. That -- that came up at the Planning and Zoning Commission as well. Yeah. According to ITD's website, this project -- phase two of the project, which that's what they are calling this -- it gets kind of confusing, because phase three is another section where they are actually going to do the overpasses, but phase two of the project, according to ITD's website, is fully funded with -- with funds and all of the improvements that you see on the screen here are intended to be completed with the Highway 16 extension of phase two, what they are calling, which is literally happening right now. They are -- as you probably all know, they are starting at both ends of the -- of the -- the spectrum and, then, kind of meet in the middle almost at this property. But -- but, yeah, everything you see in pink is to be completed by 2024 with the funds that they have right now.

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

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yes, gentleman. It's been a while since I looked at the Highway 16 project specifically, but is -- and I know Ustick is one of the entryway corridors to get on and off. Does that -- 16, does it have an overpass over Ustick? I -- I'm trying to remember what that design was going to be for Ustick. Do you recall?

Tucker: Sure. Mr. Mayor, Council Member Hoaglund. So -- so, there -- so, there will be an actual interchange here. So -- so, there -- this will be one of the -- the -- the off ramps, one of the intersections where you will actually be able to get on and off Highway 16. The other -- the -- the places that are just overpasses I believe are McMillan and Cherry and, then, Ustick and Franklin will have the -- the -- the interchanges where you can actually get on and off the freeway.

Hoaglund: I didn't think McMillan was going to have one, Mr. Mayor, but -- so, there is -- I was trying to remember how they were designing that, though, for the on and off.

Tucker: So -- sure. Mr. Mayor, Council Member Hoaglund, Ustick will stay at grade and the freeway will go over it.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just to follow up on that, that -- that makes this project even more interesting, because you have elevation and lots of cars and you are going to have noise and there will be some retaining -- the wall -- sound walls and different things like that. So, just -- just something to take in. It's just one of those things that -- how does that change what would normally be if it just stayed as a normal intersection. If -- if you have a slide, what -- I -- I wanted to look at -- especially on the -- the multi-family side of what -- what are the access points to come into that -- that facility and -- have to move all our faces here -- to the north you are going to be going through the development that's been approved already and, then, it looks like you have something going out to the west behind the commercial.

Evarts: So, that's not in yet. So, the property that's directly to the west of this, there is -- what's the name of the street? It's --

Tucker: Oh. Endeavor.

Evarts: Yeah. Endeavor Street. So, ultimately, once that -- once that west property gets transacted, there is a call for a street that will go all the way out to the main artery that feeds Owyhee High School and, then, we have a right-in, right-out off of Ustick. So, that's what ACHD granted us on Ustick Road, so that we wouldn't be causing any left-hand turn traffic in -- across to get back on the highway. So, it is a right-in, right-out.

Hoaglund: Okay. Mr. Mayor, I got one more.

Simison: Councilman Hoaglund.

Hoaglund: Width of the lots. What will they be with the variance? We talk about, you know, the square footage going down to 1,695 or whatever it is. What does that make the width?

Tucker: Mr. Mayor, Council Member Hoaglund, the interior lots -- these are all townhome lots, so they are zero lot line. They are -- they are 21 feet wide. The -- the exterior lots, the ones that are on the ends, let's say, of -- of the -- the grouping of townhomes, those are a little bit wider. So, it's really just the interior lots that we need the variance for. That's why it's not all of the lots, because some of them do comply with it. It's the interior lots that are 21 feet wide.

Hoaglund: Thank you.

Simison: Council, additional questions for the applicant?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I have four or five questions. Would it be okay if I just interact with the applicant directly?

Simison: Please.

Perreault: Thank you. Speaking of the townhomes, I kind of had in my mind before I saw the elevations that it would be more of the two-story duplex style. You can't tell from the site plan that this is going to be buildings that have four or five townhomes in one structure. So, it feels a little bit more like an apartment style, even though it's being called a townhome and certainly being sold off as individual units. So, can you help me understand why that design element versus the feel of it more just being, you know, two -- two townhomes together and it has a little bit more of a single family feel to it? This -- just help me understand the -- the thought process behind that. Was it an economic decision? Was it -- that's what you truly believe the demand will be? Did it have to do with this lot width conversation?

Tucker: Sure. Mr. Mayor, Council Member Strader. I think a lot of those things came into -- oh, sorry. Got it wrong. Well, you just asked me --

Perreault: No. We are laughing, because our own team does this to us all the time. Poor Council President Hoaglund, bless his heart. But I'm very honored to be confused with her.

Tucker: Sorry. Mr. Mayor, Council Member Perreault. So, I think a lot of those things came into play. We -- we really just -- we think it's a great design. Again, it is somewhat

of a -- of a larger -- larger structure than you would think maybe just two townhome buildings together. It does allow us to -- to get a little bit more on there. So, every time you separate buildings, then, that takes up a little bit more space. With fire code and building codes we are going to have to separate those by even more if we -- if we don't put them all together. So, that kind of plays into it. We just -- we -- we think it's a great design. We -- we think it's a great product. We also like that it provides some diversity as far as entry into the -- into the structures. A lot of them are to be alley loaded. So, there won't be any garages on the front, they will be in the rear. Some of them, just the way that the property is configured, it -- it didn't accommodate that. So -- so, some of them will be front loaded. But a good portion of them are rear loaded and we -- you know, in discussions with staff, also just liking the idea that we can provide some rear-loaded units through alleys, that it won't be garage dominated. We just really like the -- the product and the design of it and so that's -- that's kind of what -- what we went with is -- is just our own discussions internally of what we think would be good and marketable and what we could -- what we could sell.

Perreault: So, thank you for bringing up the access conversation. I assume we have 20 foot driveways, because that is what we are now requiring. What are the street widths between those driveways?

Tucker: Mr. Mayor, Council Member Perreault, ACHD's requiring all of our streets to be 33 feet wide.

Perreault: Okay. So, they are not trying to do private streets in that section. We have lots of issues with people backing out, trash cans, furniture moving trucks, everything you can imagine we discuss when it comes to these alley loads. You answered -- Josh answered the question about the entrance to the west with the commercial access, that it's right-in, right-out and so it sounds like there will be another public road that will come in from the main entrance to the west; is that correct?

Tucker: Correct. Mr. Mayor and Council Member Perreault, when Owyhee High School was approved we actually came and testified at that hearing. We were trying to fight to require both ACHD and the City of Meridian to require Endeavor Street to be extended all the way to our property line. In the end that didn't happen. It stubs at the end. There is a -- there is a gentleman that owns a piece of property between us named Mr. Flowers. The -- the Endeavor, which is a public street, dead ends right at the corner of his property and so whenever that property redevelops there will be an opportunity for Endeavor to continue on and then -- and, then, connect with our property. We have tried to design it in such a way that it aligns and -- and -- and that access could -- could function and get you out to Owyhee Storm, which is where the light will be.

Perreault: Okay. So, we don't know for sure that you will have -- that -- we don't know for sure the timing of when you will have access, other than the right-in, right-out?

Tucker: Mr. Mayor, Council Member Perreault, the -- the other option -- it's a little bit of a longer route, but the development directly to the north of us, Aviator Springs, our street

connects with them. That street, then, actually -- I believe it's called Achievement, which runs north of Owyhee High School, goes out to Owyhee Storm. So, there will be another access out to Owyhee Storm, which is the collector, until -- before Mr. Flowers' property develops or that Endeavor Street is connected. It's just a little bit of a longer route, but there is two points of access out -- out of the development.

Perreault: How do you anticipate that affecting the commercial properties, especially if you want to put like a C store or something in there?

Evarts: Yeah. Mr. Mayor, Council Woman Perreault, I -- I -- I think that's to be determined; right? So, as we have talked about it on -- on the commercial team at Pacific Companies, we -- we -- we feel that the things that we are looking for that go in there, I think -- I think the convenience store, like a C store, fueling, I think that's tougher without Endeavor being in play and what we think are going to be the things that really work there are going to be things that are in walking distance to the high school. So -- or walking distance to the multi-family. They are going to be services that support those two things. We think those are going to be the things that ultimately go in there until the Endeavor thing. Now, when Endeavor gets done we have designed it to connect in -- directly into the commercial area and I think that could open up an opportunity. But the -- the reality is -- is we -- we don't -- we don't know what a -- what a C store would look like there with a right-in, right-out. You know, is it reasonable to think that somebody who is racing to get to school on time is going to pull right-in to fill up and right-out and they are not going to be happy leaving school, you know, where they don't have an easy way to get in there; right? It becomes problematic. So -- yeah. So, I -- I think that the products that are going to scream in there are going to be the things that are in walking distance -- and -- and -- and Todd and I were -- so, Todd's daughter goes to Owyhee High School and her -- her friends are literally driving all the way to Walmart at lunch to do cool high school lunch things. So, we think that there -- it -- we -- we think it's going to be -- it's going to be fun to actually program some stuff in that commercial space.

Perreault: Thank you. I appreciate that. So, speaking of the commercial and this design, mixed-use regional --

Evarts: Yeah.

Perreault: -- staff talked a lot about this not having the mixed-use regional feel, because of the -- the limitations -- the geograph -- geographical limitations. Where do you anticipate the residents will be going to get their commercial services? Are they going to go -- do you anticipate they are going to go down to Ten Mile and McMillan? Do you anticipate they are going to go into Nampa? What -- had you look at -- had you looked at where you anticipate folks driving to when you were deciding how much commercial to use versus residential and whatnot?

Tucker: Mr. Mayor, Council Member Perreault, just because we are so pro Meridian we are going to actually put in the CC&Rs they cannot shop in Nampa. They have to go to Meridian to do all of their transactions. No. We --

Perreault: I wish sales tax works that way, but it doesn't.

Tucker: We actually -- we actually think the majority of the -- the -- the commuting or the -- the traveling to do, the -- the -- the shopping or the -- the -- the commercial stuff is -- is going to be towards the east into Meridian, probably until The Fields sub area plan that you guys have approved, which is just a little west of this -- I think once that actually comes online and it's got a more robust commercial element to it than what we are providing, I think that's probably going to be where the majority of these people go is to that commercial element in the heart of The Fields sub area plan. But until that comes online my guess is, you are right, they are going to be traveling to Ustick and -- or -- yeah. Sorry. To -- to McMillan and Ten Mile, to the Walmart, to the Costco, to the Winco that's in that area. That's probably where the majority of that commercial activity is going to happen. Probably until we see what goes on in The Fields.

Perreault: The reason I ask is because we are already having conversation with residents in that area of Ten -- Ten Mile and McMillan about them feeling like that intersection is already stressed and now we are adding housing for four -- four square miles -- I mean, what, three miles? Maybe four miles from that intersection?

Tucker: Three miles.

Perreault: Yeah. And so, you know, we are having a lot of those conversations with projects that are being discussed in that area. Now we bring people from three miles away from -- from the -- the west and so many new housing units in this area already that were not anticipated. So, this being the only mixed-use regional parcel in this area, that's just a really significant factor for me is your commercial to residential ratio, because of where it sits, because we don't know when The Fields plan is going to come about, because we don't know which way people are going to go with our commercial, and, you know, I'm always trying to look at these in a long-term way, so -- and Josh mentioned interest rates. They are going to be different by the time you guys have this built. Our housing need may be different by the time you guys have this. But we can't make that -- those decisions about housing that's going to last decades over a current economic variable, because it may look entirely different. Hopefully it will look entirely different by the time yours is done. So, I don't take that into account when we look at housing inventory, what's happening with our interest rates currently. I appreciate that that's the goal, because we want developers to have the goal of making Meridian fantastic for housing. We really do. But we have many many applicants that have come before us with that same goal in the -- in the recent past and we really appreciate it, but we are -- we are falling short on the commercial side in this area in my opinion and every applicant has come and said, hey, let's talk about greater density and we are having those conversations and I'm glad we are. I did -- I didn't think two years ago when I started on Council where none of those conversations we are having, that they would even happen this quickly. I'm very excited about that. Not because I love density, but because I want places for residents to own homes. Home ownership is at its lowest percentage in 35 years or so in our country. So, it's hugely important to us that there is those opportunities.

But for me not at the risk of this constant traffic issue that's created by not having access to commercial services in the area.

Tucker: One thing I wanted to -- to add on that, Mr. Mayor, Council Member Perreault, is we -- we actually did think about initially putting a little bit more commercial and having it on the east side of Highway 16 at that intersection of McDermott and Ustick. However, with -- with McDermott Road -- when we found out that McDermott Road was going to be cul-de-sac'd in that area, that just -- that just kills commercial developments and so that's one of the reasons why we kind of pivoted and went with townhomes on that side is because -- because of that cul-de-sac and just not being a viable commercial element with there not -- being really zero access where you have to drive, you know, a mile to get to it, it just isn't feasible and so trying to put it up -- putting it on the -- on the west side where we did -- and also we have -- we have the Skypilot Drain that runs through the middle of our property and it's a hundred foot wide easement that we can't put any structures in and so that also makes it a little bit more difficult on the west side to make that commercial element larger than it is, just because we would have commercial development and, then, a large green space and, then, more commercial development and it just really cuts it up. The way we designed it is in -- in a way that the commercial really flows in. We tried to align the entryway to the -- to the apartments with that plaza and entryway into the commercial, so it felt like one big development. It had a cohesive feel to it. And so that -- that -- that Skypilot Drain that runs through the middle of it also really is a hindrance to us doing more commercial there, just because it -- we can't put any structures in that location.

Perreault: Thank you. I appreciate you all not shying away from the incredible amount of geographical challenges on this property. There is not very many groups that would want to take this on and have the appetite for it, because it's really tough. So, thank you for that. I just have one more quick question and that is the question I had asked earlier, which is are the residents of the townhomes going to have access to the clubhouse through the HOA and what does that look like for them to drive around and park at that location?

Evarts: Yeah. Mr. Mayor, Council Woman Perreault. No. So, the -- the -- the -- the lifestyle multi-family community is a separate thing. So, we provided -- and, actually, I think I have got a picture of it here -- kind of, again, taking advantage of that, you know, lemon and turning it into lemonade. But we -- this is the side view and the amenities that we are providing on the townhome side, which will be -- so, the pickleball courts in the north and, then, this open space, parkway, tables and everything that we are trying to leverage up and make that whole Skypilot drainage area, you know, kind of an amenity on this side. So, no, there is -- we are not expecting people -- certainly you are not walking across the highway and we are not trying to drive people over and park them. So, no, separate -- separate things. Just given -- just given the highway.

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

Evarts: Thank you.

Simison: Thank you.

Evarts: Thank you, staff.

Simison: Mr. Clerk, do we have people signed up for this item?

Johnson: Mr. Mayor, we have two people signed up. First is Rod Green.

Simison: Good evening. If you could state your name and address for the record, please.

Green: Yes. Is this good?

Simison: Yes.

Green: Yes. Mr. Mayor and Council, my name is Rod Green. I'm at 3560 North McDermott. I'm directly to the east of this applicant's request and we have lived there for a long time, my wife and I. Obviously, we -- we don't care to see all of the higher density development out in that area of Meridian. You know, it's been farm, it's been open space, and we have enjoyed that a lot. Maybe our time is coming to an end. I'm kind of an old timer. But -- so, I have to go on record and say I'm not in favor of much of this at all. But I think -- I think staff and I think the -- the developers have done a lot of work here. I appreciate that. I am still concerned about the traffic along with McDermott. When, you know, it's going to work time or coming home time and -- there is going to be a lot of traffic in and out of that 81 units. I don't know exactly now what the traffic study actually indicated. I know I read it. I didn't -- at the time I didn't think I agreed with it, but that's just my own personal opinion I guess. I know my wife and I are very concerned about coming out of our driveway, which aligns fairly closely with the north access to the east side of this development. There is -- there is two access points, the north one and the south one, and I'm talking again about the -- the sliver, if you will, right next to McDermott Road. Anyway, our driveway comes almost directly in line with that north access point. What I would like to suggest -- and I know this will probably fall on deaf ears, but I would -- I would suggest that that open area that they have designed in the south part, for that to maybe be expanded a little bit and take away the pickleball courts at the north and make that north access, then, align with the realignment of McDermott Road. You saw it there in the pink, you know, how McDermott is going to jog around. Okay. Make that access point for their -- for their northern part of their development, again, along -- on McDermott, align with that realignment of McDermott. If that makes any sense. It makes sense to me and I think it would make sense to our neighbors as well. That would be my recommendation there. Appreciate the time. So, do you have any questions of me or -- I wanted -- excuse me. Council Member Perreault, I wanted to mention -- you had asked about where do folks travel for commercial. Well, we have lived there for 18 years. There is nothing until you get to Ten Mile -- there is a little bit -- not really, but I mean if you -- if you go down to Cherry Lane and -- and Ten Mile there is some there. But you really got to go further east or you have got to go almost clear to Nampa -- I mean to Garrity and it

has always seemed to us like why isn't there more commercial in that area. There is a lot of homes there and a lot of people and a lot of traffic. Why is there no good restaurant to go to? I'm not talking about a -- a drive-through. I'm talking about something where you can sit down and have a nice meal. Or some shopping. Anyway, just wanted to reinforce that. You are right on.

Bernt: Mr. Mayor?

Green: Anything else?

Simison: Councilman Bernt.

Bernt: I just have a statement for you, sir.

Green: Sure.

Bernt: I -- I -- I get where you are coming from with -- with this density. There is no doubt about it. As a -- as a family that's lived in that area for 18 years -- I -- I know other folks who have lived out there in that area for even longer. That's a long time. And you guys have just seen pheasants and birds and --

Green: Yeah.

Bernt: -- you know, you -- you haven't seen anything for many miles in either direction. I just got to -- I'm just going to be honest with you, Highway 16 is completely changed that region.

Green: Oh, yeah.

Bernt: Completely changed. And whether it's our city, whether it's other cities, you are going to see density all down this corridor.

Green: Sure.

Bernt: And that's just how planning works. You know, along high density -- or along these type of highways you -- you find high density, just because it provides an opportunity for folks to get on the freeway and to commute a lot easier and it keeps that traffic out -- you know, off of streets like Ten Mile. So, I get what you are saying, man. But I just --

Green: I know.

Bernt: I'm sorry. It's just -- it's just -- I'm just being real with you. It's just -- it's reality in that area. It's just -- it's going to be dense not only here, but north and south on both sides of the road.

Simison: And commercial's coming, but it's going to come with a lot of other things.

Green: I know that's the case, Mr. Mayor. I just hate to see it.

Bernt: And I appreciate you making that comment. I really do. I feel for you. But it -- I just don't think there is any way of getting around it.

Green: Councilman Bernt, yeah. My wife has lived on McDermott Road all of her life.

Bernt: That's crazy.

Green: Even from when she was born. Just further to the south from where we are now, but -- yeah. We have seen a lot of change. Okay. Anything else?

Simison: Council, any further questions? Okay.

Green: Thank you.

Simison: Thank you.

Johnson: Mr. Mayor, next is Randi Wood-Bussert.

Simison: Good evening.

Wood-Bussert: Good evening. My name is Randi Wood-Bussert. I live at 6066 West Becky Drive. So -- and I'm here with a couple of my neighbors that also live -- we live in the Apple Valley Subdivision. It's called a subdivision, but we all have acreage. So, this is a huge concern for us. We are all in opposition of this. We are kind of feeling as though those of us who have lived in this area -- and for me it's an excess of 20 years. We have had a lot of soul crushing change. But our main concerns, as with everyone else, is the traffic. But also for us being their exact demographic that they are after is going to really have an impact on our -- our property value for one and, then, most of us are still agriculture in this area and I can tell you this type of development -- my horses and cattle and our way of life, it's a huge crash. I just can't see it working well for -- for any of us. So, that's a huge concern for us and we kind of need some answers about how everyone making these decisions for us is going to try to sustain our value of life and our value of how we live our day to day. I can tell you just in what has happened with all of the development with Owyhee School, the noise is devastating. The lights of that high school are devastating and I -- and we have known for years that 16 was going to go through. So, I -- I know you are telling us that there is -- we knew that was coming. We didn't know the rest of this was coming. We were first approached with the change in McDermott as being nothing more than an access road and, then, we get broadsided in the face of how this was really meant to be and we weren't really told the truth. So, we are all very concerned about this. We still would like some more answers about how -- how everyone involved in this expects all of this to work well together or if those of us who own acreage are just expected to leave. That's kind of how we are feeling. Crime, too, is a worry for all of us with -- with what's coming in.

Simison: Council, questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I really feel for you. I have lived off of Black Cat, which for the longest time was the very west side of Meridian and not much past that and have seen it -- I have lived there for 12 years and have seen it grow and expand and there is multiple acre plus properties around me and I -- I -- I totally understand where you are coming from. I want to share a couple things I think hopefully will encourage you. First, I think when they dead end McDermott it's really going to help you with not having as much traffic, because the only people that should be coming down there are the folks that live in that area, at least the section between McMillan and Ustick. Hopefully that will just be being accessed by the folks that live there. The second thing I wanted to say is I was a Planning and Zoning Commissioner when Owyhee High School went in and that was not a decision the city was excited about and -- and we really did not have -- it was tough. The school district went out and bought that land without maybe having the consultation with us that we would have preferred and so can't do anything about it now; right? It's there. But I just wanted to share that with you, because you were asking, basically, like who has made these decisions? How did this come about? Is everybody on the same page. If I'm understanding correctly what you are asking. And, then, who is going to protect our way of life. Your properties are in the county is my understanding. You are in --

Wood-Bussert: We are for now. We are on the island and we do not wish to be annexed in.

Perreault: Yeah.

Wood-Bussert: But in terms of -- for me being able to get in and out of my own property -- I have a 42 foot horse trailer. Once I hook that to my truck I am 61 feet long. As things are now in just how it's changed, it's hard for me to get in and out of -- well, I can't leave Ustick -- or leave McDermott and turn right onto Ustick. It's impossible with the way they put in that light and how tight they made all of the access, they created a turn lane where there wasn't room for there to be a turn lane. The wrecks are multiple. So, once all of this changes it's going to be even harder for me to leave and get out, whether I'm going right or left. One way I have nothing but subdivisions, developments, a roundabout to deal with. So, I just -- yeah. We are feeling pretty stifled here.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I feel for you and I think the -- the biggest issue is that when the legislators -- legislature started pushing for Highway 16 and funded it, that sort of sealed the fate of this whole corridor, because it -- it is going to be the quickest access, you know, to the

interstate. There will be dense housing along this corridor. Councilman Bernt is correct. Soon to be Senator Bernt. On your comment about property values, consolation I think. My honest opinion this development to me looks like a class a type of development. It looks very high-end. The developers behind it are better than most. I think you are going to get the best case scenario compared to others we could see and -- and there -- there is really nothing that -- there is nothing that -- that can protect your way of life in terms of the whole region along this corridor. The one thing I will tell you is that the City of Meridian is not forcing people to annex into our city. If you live in Canyon county -- or near the city limits of Nampa -- I don't know what their policies are, but we won't force you into the city of Meridian. You know, you own your land and -- and Meridian is not doing that. I wish there was more I could tell you. You know, there is -- it's kind of like these things take on a momentum of their own and so as soon as this state highway was planned and paid for and now these on ramps and stuff we are here, there is nothing that will undo that and so that's tough.

Wood-Bussert: Yeah. The neighbor just to the east of me sold their property for just shy of a million dollars. So, this development really does -- it really gives all of us where we are at a huge pause for concern.

Strader: Yeah. So, it -- it's -- it's hard, because the -- it -- it -- it threatens your way of life and it threatens the lifestyle you have been used to and what -- what you have enjoyed this whole time. You know, it -- it -- it will also increase the, you know, value of the surrounding lands and it sort of creates a momentum of its own and I -- you know, I don't want to sit here and tell you that like it's going to be okay and -- because it's -- it's not. Like if I were you I -- I would not think that there is anything that -- that's going to fix this. Like the -- the highway being there -- there is an unstoppable momentum behind that just being there. I think if you and your neighbors band together and, you know, are aligned on, you know, staying in the county and -- I mean you can -- you can -- you can protect your area, if that makes sense, but it's like really hard to stop everything that's going to be happening around this thing. It's just happening.

Wood-Bussert: This is right against us. Right against us, so -- thank you for your time.

Strader: Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Can I share one more thing?

Simison: Uh-huh.

Perreault: Ma'am, I'm a real estate broker and what I have seen about one acre properties in little pockets like this -- because they are all over Meridian. We have three or four others I can think of off the top of my head. And, then, the south Boise went through the

same thing where there was this dense development around these pockets of one, two acre parcels. It really increased the values of those larger parcels and instead of -- you would think that it would decrease them, because you have density surrounding you, but it increases them, because the fewer large parcels that we have in our city the more valuable they become. So, I -- I would be surprised if it would -- yes, the -- the highway is close, but there is two other similar neighborhoods to yours that have -- that Interstate 84 runs right by one. There is a huge development going into that one -- next door to that one and another one I can think of and from what I can tell it's not hugely devaluing their properties. Now, I'm not saying that as -- I'm not guaranteeing that. I'm just saying the other ones that I have seen, both in my role as a Council Member and my role in real estate, it's -- it's not devaluing in the way that you would think it would off the top of your head.

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

Johnson: That was everyone that signed in.

Simison: Okay. Is there anybody else who would like to come forward and provide testimony at this time? Or anybody online that would like to provide testimony you can use the raise your hand feature. Okay. So, we do have someone online raising their hand.

Johnson: Mr. Mayor, I'm not seeing that. What's the name?

Simison: Sue Waggoner.

Johnson: Okay. Ms. Waggoner, you should be able to unmute yourself.

Wagonner: Hi. Can you hear me?

Simison: Yes, we can. If you can state your name and address for the record, please.

Waggoner: Oh, thank you. Thank you so much. It's Sue Waggoner. W-a-g-g-o-n-e-r. And I reside at 6096 West Becky Drive. I also have adjacent property on McDermott. That would be 3950 North McDermott Road. It's just -- my property just kind of wraps around onto McDermott Road. So, I wanted to just state that -- it was either Mr. Hunter or Mr. Tucker -- I'm sorry, I don't know which one, indicated that there was a crisis that they were trying to solve and I was speculating as to what that meant. If that meant affordable housing crisis or just housing in general. But I -- what I would like to do is let you guys know that we are having a crisis of our own on McDermott Road and Becky Drive where I also reside in the Apple Valley Subdivision, where we have 16 homes with four to five acres each and we are right in the middle of that high impact that you have all been discussing. We have got a freeway coming in next to us, which my neighbor mentioned. We were originally told that that was going to be an access road and, then, suddenly it's now changed into an actual freeway. So, we have got the high school coming in -- or that came in, which my neighbor mentioned. Blasting lights. Blasting

music. I have cows in my pasture right there on McDermott Road that have to look at the lights and listen to the music every time there is a football game. So, I'm just kind of questioning when do -- I understand that we need housing for people that are moving in and whatnot, but at what point does anybody become concerned about the crisis that those of us who already live there, who have invested our life savings into our properties, when does somebody think about the crisis that we are facing?

Simison: Thank you, Ms. Waggoner. Council, any questions? Thank you. Is there anybody else who would like to provide testimony on this item? Then I will ask the applicant to come forward to close.

Tucker: Thank you, Mayor, Members of the Council. I just wanted to address a few items that were brought up. As far as shifting of the access, Mr. Green's testimony as far as the -- the way the -- the street aligns with his driveway, I went back and -- and rechecked ACHD's reports earlier today just to make sure I wasn't missing anything. They have approved that access where it is. Removing the pickleball courts to the north and shifting everything to the north -- that property directly to the north of us is a light industrial use that is owned by the Aclima Corporation and the proposed use there is -- is a light industrial use and so working with staff, one of their suggestions was, hey, why don't we shift some of those units a little bit farther away from -- from that northern property line, provide a nice landscape buffer there, and so we have provided a landscape buffer and some pickleball courts to provide that buffer from the light industrial use to the residential use that we are providing and just, again, ACHD has approved that drive -- or that street intersection with McDermott where it -- where it is located. As far as the -- the -- the -- the property values, I think you are right, Council Member Perreault. I think property values probably will increase a little bit based on the amount of development going on and also just pointing out, even though those properties are not located in the county -- in the City of Meridian, they are covered by the City of Meridian's Comprehensive Plan, which I believe -- I don't know if it goes up that far -- is classified as mixed-use interchange. I don't know if that's these properties. But I know directly to the -- to the east of us it's mixed-use interchange. So, the -- the redevelopment potential of that property is -- is fairly high. As far as the -- the horse trailers and the -- the -- the getting -- the maneuvering around, we are required to widen McDermott Road as it abuts our property, so we will be widening that, making that section a little bit easier to navigate. As far as access to Ustick Road, though, that's going away altogether when -- when McDermott Road gets cul-de-sac'd. So, that's going away altogether. There will be no access from McDermott to Ustick Road to try to make those maneuvers. One thing that I thought of -- not necessarily a rebuttal to -- to testimony that was given, but just -- I have still been trying to think through the commercial aspect and to try to address some of your -- your concerns, Council Member Perreault. The properties directly to the north of us -- if you head north on McDermott Road where the hospital is that we just had right before this, that -- that intersection will have commercial development as well. Not just the hospital, but in that area there will be commercial and, then, also I just wanted to point out directly to the west of us, the properties that abut Ustick Road, that are basically between Ustick Road and the high school, those are classified as mixed-use community, I believe. More than likely those are going to be developed as commercial properties as well. So, the properties

directly to the west of us, Mr. Flowers' property and, then, the property that is owned by the school district, those are all going to be redeveloped commercial. So, that will be another infusion of commercial development in the -- in this area. Again, we can't control when that happens, but we think with -- with the construction of Highway 16 and the construction of our development bringing in the developments to the north of us, bringing the activity -- you have all seen the development that's going on in this area, more than likely that -- those properties will -- will redevelop fairly soon as well and I think will redevelop as commercial to bring more commercial area -- or uses into this area to support not only the high school, but the multi-family and the townhomes that we are providing. So, I think that's all that I had to offer. Again, just wanted to thank staff for all of the work that they have done on this. We have gone -- we have been working with them for about two years on this and I think we have really landed on something that is a really spectacular project that -- that all of us involved are going to be really happy to -- to put our names on. And so just again want to express thanks to them and encouragement to -- to support that variance request that we are asking for, just to reduce a few of the townhomes by 300 square feet, those lots, and so that concludes our testimony.

Simison: Thank you. Council, questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Could we bring up the slide that shows the road network? There we go. Can you quickly -- just so we have a visual and for our residents here -- show us where -- how someone who lives to the east of McDermott, north of Ustick, will get on the interchange. Will they need to drive all the way around to McDermott Road, come back south, head west on Ustick? So, they are going to need to go around, what, three-quarters of a mile to get on to 16? Or they could get on by going north on McDermott to the McMillan Interchange -- or McMillan won't have an interchange.

Tucker: Chinden.

Perreault: It will -- it will be -- they -- oh, bless. Okay. And -- but the section of Ustick on either side of 16 is going to widen -- I mean that will -- that will be, what, five lanes --

Tucker: Correct.

Perreault: -- with this phase two. Okay.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I will just throw out some -- some thoughts, having heard all of the testimony from the applicant and the public and in preparation review of the materials for tonight. I think

Ms. Waggoner's comment about having a crisis and some of the neighbors here a crisis -- the -- the conflict between development and -- and historical use, it exists here and elsewhere in our -- in our community and it's real and it feels very real. The value of your property doesn't matter if you don't intend to sell it. So, whether it's worth a thousand or a million is irrelevant, because you have a way of life you want to protect. So, one of the things that we can do -- one of the few things we can do is try and orderly plan our community as a whole and be consistent with it. So, for your properties that are in the county, what we can do is -- is through a public process create what we have as a Comprehensive Plan full of policy statements and a future land use map and with your input try to give you a heads up on how your properties are going to be developed. Give you some insurance as to what the rules of the road are going to be for the type of use that might one day in the future happen to your property and, then, also give you some assurance that the properties around you are going to be stuck with the same plan and -- and the same rules. Maybe some different uses, but -- so, there is some -- some certainty in how properties are going to be developed and, then, we got to be consistent in how we apply our long-term Comprehensive Plan. This is just another example of the real conflict that exists when cities grow. So, for those that -- and the one element that we don't control, like Council Woman Strader had said, we don't annex properties unless a landowner comes to us and makes a request and say -- says I would like my land to come into the city and I would like to do so consistent with your long-term plan that we just talked about and the thing we don't control is the order and we see the greatest conflict and crisis when the order which is dictated by the land owners who choose to come in at their own pace, come in at an order that causes certain crisis for those adjacent. I mean we will never really control that. But do know that we think about and are concerned about that conflict every time an application like this comes in. This area is one of the more complex areas the City of Meridian has seen since Eagle Road was widened. That's probably the best example. I mean this is a generational changer. So, the difficulty in marrying up the land uses is extremely real. So, some of the things with this application that I found very favorable, because of these challenges the applicant is one who does excellent work. This team that they described I think it carries some weight. It should give the neighbors some level of comfort that they do what they say and they say what they do. The fact that it was planned to be mixed-use regional, that we -- that we created a plan, which told all of these property owners here the type of uses we want you to do with your property, it fits long term with our road network and with our public services, integrating residential and commercial. It might not be in the perfect order, but it fits the plan. So, when McDermott Road became a cul-de-sac adjacent to this property, It really did basically eliminate McDermott Road as a useful arterial. That, coupled with this type of use, these type of properties adjacent to it, creates -- it won't feel like minimal traffic, because anything more than what you have feels like a lot and it will, but compared to a more dense residential on this east side or a commercial, all of those carry more traffic than this. So, this type of product with McDermott stubbing really seemed to be to me a thoughtful design to create minimal traffic that -- that just realistically will never be zero. So, that to me mitigated some of that real concern that the neighbors have raised. I thought with regards to the variance request, I -- I viewed it as some proportionality. I thought the challenges, the site design -- or, excuse me, the site constraints are so unique and so enormous that in relation to the -- to the variance that was requested, it wasn't a

fiscal solution that I thought warranted it. I just thought the site constraints warranted the adjustment that's being requested. I think it's reasonable and proportional. The alternate compliance that was referenced, I know that's at a later date and done with -- with staff seemed to make sense as well under these unique circumstances. So, I'm -- I'm supportive of the application. I think long-term when these adjacent properties all develop consistent with our plan, perhaps one day maybe some of your properties as well, that this region as a whole will be designed right and be very successful. It doesn't mean it's not challenging in the short term, but I feel like our responsibility is to review and approve and decide based upon long term and I think long term this application warrants approval. I think it's the right thing to do.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: You know, I'm going to really miss these -- these explanations given by Councilman Borton. The -- he has a gift of explaining, you know, the -- the -- the pros and cons of land use, because he's been doing it for so long. I hope that that made sense to you guys, because there is no one up here on this dais that probably could have done a better job. Completely agree. I do believe that there is going to be a time that the property directly west of the commercial aspect of this -- of this project will be commercial. There is -- there is absolutely no doubt about it and -- and so that will alleviate some -- I think Council Woman Perreault's concerns. So, I'm in favor. I -- I just think that this was just -- I -- I can't imagine buying 40 acres of land, fast forward ten years and finding out that there is a gigantor highway running right through the middle of it and still finding a way to develop it. I -- I don't think I have ever seen it done. Truly. I mean this is a new project and, unfortunately, there is probably going to be much more coming to us that are going to have similar challenges. So, thank you.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, as you deliberate and discuss, I just want to -- to maybe clarify on the variance piece. I do think Council Member Borton is spot on to say the challenges of the site in relation to both Highway 16 and that lateral that runs through the property, that easement, does make it challenging, because the case law and courts in this state have focused on the site, not the surrounding economics, not the surrounding period that you are in in regards to housing and all those types of factors, that are, obviously, relevant to this Council, but they aren't relevant to a variance. So, I -- I wouldn't steer anywhere near that piece of that earlier discussion, but, certainly, it is within your discretion to decide whether or not removing the parcels as planning had suggested is one alternative versus the diminishing the -- some of the lot sizes, some of the parcels. I think that's -- and it's within your discretion. I think the constraints on the site between the highway and the lateral certainly could support that. So, I just wanted to make sure you stated that -- that side of the conversation and not to the other, that

although, again, as important as that might be, from a policy standpoint it doesn't really apply to a variance.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Mr. Nary will tell me to steer away and I'm going to steer right into it. You know, look, I -- I do think it's relevant, because I was hoping we would have some really great timing with a program that we are trying to set up to change some of our standards, but, unfortunately, it's not ready yet and I don't think it's fair to hold the applicant, you know, to a new program that encourages housing affordability if it hasn't been stood up yet. So, I'm not going to hold you guys to that. I do know that you are a man of your word and if you are trying to approach things at a discount to where the market is right now for single family housing, I believe in you guys. I think you can do it. So, I'm just going to have trust that that's the market you are trying to attack, that's your business plan, that's what you are going to go after and -- and -- and I am encouraged that we are providing that kind of missing middle housing that we have been talking about and I do think in the future, you know, when we have more discussions with the Community Development Department, we could try to work on, you know, different rationale besides site conditions to relax some of our standards to encourage that affordable housing that we need. So, I will put that to the side. The things I like about the project -- I love the team. I agree that this is really -- if I were a neighbor I would be very upset also, but I think that this for me would be best case scenario in terms of what would end up here. It's going to be beautiful. The townhomes are -- are beautifully rendered. I know it's going to be gorgeous. I'm -- I'm not -- I'm not concerned about the variance. I do agree that, you know, the state highway and the site conditions also separately warrant that variance. So, I'm with you on that. The commercial is not there yet. That's a tough piece. But they were really -- I mean by virtue of how McDermott developed, it pretty much sealed the fate of what could go here. So, I'm supportive of it. You know, I think -- I think the commercial will come in this area, you know, as it's needed down the road. So, yeah, I mean I think they made a good case. The -- the one thing that gives me pause -- I -- I really wish that the full Ustick Road widening was going to happen. It's just not. 20-26 is not that far. We have a lot of bigger challenges when we talk about places like McMillan where we are talking like 2034. At least this isn't like a case like that. So, I'm there on it.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: May I ask the applicant a question?

Simison: The public hearing is not closed, so yeah.

Perreault: With the variance -- I'm surprisingly the one that's hesitant about it and my hesitancy comes with, you know, anytime we grant -- even with site conditions, anytime

we grant a variance -- and this is a pretty -- this is a pretty specific one -- we kind of open up that whole, well, you did it for them, can you do it for us kind of thing. So, we take it really -- really seriously. So, my question -- two questions. One, is it possible to lessen the amount of lots on which we -- that variance would be required? Right now it's 44. Is it possible to lessen that based on design or where you are placing the townhomes or would that require a whole new redesign of all of the lots in that section? That's the first question. Second one is did -- did you -- did you do some -- some platting with all of the lots being 2,000 square feet and how did that change the size of the building and number of units that were in each building? So, it looks to me like you kind of have like a -- a two or three unit and, then, like a four or five unit and, then, a two or three unit. Did that look entirely different when you -- when you put those on 2,000 square feet versus 1,700 square feet?

Tucker: Sure. Mr. Mayor, Council Member Perreault, yeah, we -- we actually, the amazing -- surprisingly -- well, maybe not surprisingly enough. The townhome side of this was much more difficult to design than the -- the west side of this, just because it is so narrow and it's got an angle there. So, we actually designed or had several different layouts of the townhomes. We had one design where they actually all kind of faced east and west going up and down, instead of north and south. One of the things -- one of the things that we really like about this design is that the units do face north and south and so you don't have some of that -- that harsh sun coming in in the -- in the evenings. Also, because the freeway is there that runs, you know, parallel with this, the size of the units, you don't have backyards next to the freeway, you have got the sides of units and we have got a little bit of the buffer and the road there. So, that buff -- that street adds some buffer as well. So, another thing that's great about this -- if you notice running through the middle of the project is we didn't just put all of the units together, we actually broke them into two, sometimes I think -- I don't think there is any three, but two -- two separate units, so that we can actually have pedestrian walking paths that traverse north and south through the middle of the units as well. So, you don't have to walk all the way to the end. There is actually pedestrian paths that go through the middle. If we took out all of those elements, then -- then we probably could make the units wider. We just think it's a much better design the way it is now. We would -- as Josh explained, we would probably need to remove nine units, one out of each kind of bank of lots there to make them all wider to meet that standard and, again, it's not necessarily -- because we are building townhomes on the -- on these lots, the size of the units is probably not going to change. It's just the size of the lot. And so the size of the home being constructed -- the floor plan of the home is not really going to change, it's just an increase of the lot size of 306 square feet basically. And so, yes, we could remove some of the lots and make it work. Just the way we have it designed now we think it's the best -- the -- the best design for the project. But, again, it's not necessarily a -- a hill where we are going to die on if -- if we don't get the variance. We are still going to move forward with the project. It will just have less townhomes on that side.

Evarts: Mr. Mayor, Council Woman Perreault, I would like to add one other thing, because we have talked about this word affordability and stuff like that. First of all, we will do what we say we are going to do. But I would say in general a matrix to keep in mind is since

1960 -- and this is irregardless of interest rates, because we have had a lot since 1960. Housing prices -- median housing prices have gone up 121 percent. Wages have gone up 29 percent. So, there is no solution to this; right? Like we just have a gap that exists and it really does take developers, kind of like our team, to go here is an opportunity to put a right sized project into -- into an area that it's been called for and that's what we are passionate about and -- and -- and while we would go ahead and do this, minus the nine lots, it -- it matters. That's -- that's a ten percent impact of this that can be a savings that can get past on to a first time home buyer. So, I think it's important.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Real quick. Just to speak to the neighbors. Firstly, I guess. I -- I truly -- truly understand what you are going through. My -- my -- my in-laws. Dairy farm. North of Ustick Road between Linder and Ten mile. There since 1961. You know, I moved to Meridian with my family in 1970 and, then, I got married to my beautiful wife and -- and lived on the farm and it went away. Now, it's the original Bridgetower location. We kept an acre. So, I completely get how hard change is. It really is hard. And every now and then I hear it from my wife. She misses the sound of the baler. She misses the view of the mountains on both sides that she could see at one time. So, it -- it -- change is hard. So, I -- I feel for you. The good news is you can survive it. You know, you heard the comments by Council Members that, you know, we don't force annexations upon people. We are not going to make you change. Yes, the area around you will change and what you want to do is make sure that you hold developers accountable. You want to make sure the people going in are doing the right thing and as -- as has been mentioned up here, you have got good developers. We know the good ones and we know the not -- not so good ones. So, you are -- you are fortunate there, because you have got people who -- who -- who do the right thing. But it is change. It is hard. And like you, when I first looked at Highway 16 and heard what they are doing, oh, it's going to be kind of parallel. McDermott is just going to continue on, be a -- the side road and, then, there will be another highway and everything will be fine and -- because we had friends out there and -- and that has changed as well. So, I -- I get it. So, it's -- it -- it is hard, but if -- if you make sure you are -- you are dealing with the right people it -- it can -- it can work and what you do is you make your home your oasis. I mean, yes, it may be lots of -- it's not open ground anymore, but lots of houses, but it becomes your oasis. It's still a wonderful place that you want to be. So, it is a challenge, but it can be done. So, just to speak, then, to the development, it -- it was interesting. I was intrigued. Council Woman Strader's comment about affordable housing and what we can do and agree, yeah, we are -- we are not there yet on how we do that and make it. But really in many cases the market is going to determine that and -- and that's something that I think is in play here. Not everyone is going to want to live next to that. Others will see, oh, that's great. I can get on that and get to 84 and be gone. Oh, that's perfect. So, it's one of those decision points that people will make. I -- I doubt -- it's going to be very nice, but it's probably going to be people who are buying their first home and say, hey, this is our starter home, this is where we start and I think most of us have been there. You know, you don't start off with

your dream home right away, at least unless you win the lottery. But you -- you start there and -- and, then, you work your way up. But they are homeowners. They are going to invest in it and keep it nice and -- and I certainly understand the request for the variance. That -- that is a challenging site. The -- with the road, with the drainage, you have got two drainages, you have got industrial on the north side, that -- that makes it really difficult and -- and so I have no problem granting the variance. The -- the sizes, I -- and -- and, Josh, I don't -- I can't remember if you have 710 foot apartments over here or not. I mean that's -- and that's out there and so that gives that affordability factor to people who want a smaller place. They are single, they want a place to start out, up to 1,300 square feet. So, that gives that variety of people saying, hey, that's going to be -- that's a nice development, it's something I can afford, and that's -- that's -- and I found your comment, Josh, about medium income of 165 to 200 thousand to afford a 500,000 dollar home is -- is a huge hurdle and I -- I think this -- this will fit that need and -- and I know Council Members who have been here longer up here, that Owyhee High School decision was a tough one, because it's a school. They knew growth. They had to leapfrog growth. But we don't like doing leapfrog development, because this is what happens, because now it's a central area, it's going to grow, you prefer that expansion out. It's more orderly. But it is what it is. The high school had to go there. It was a tough decision Council made and now development is going to be there around this new central area. So, I get it. You guys have done a good job with it. I certainly support it and the fact that you are not going to be done before the -- the highway is completed and those types of things I think are good factors that enter into this. So, again, I appreciate your hard work and I -- my sympathies. I get it. But I don't -- don't totally despair. It's -- it's -- someday they will have the roads wide enough you can turn that long trailer on, so -- but it does take time.

Simison: So, question for staff or the applicant. Just intellectual curiosity. The end cap units, are the ones that are left at 2,000 feet under the variance, is that because the dimensional standards needs something different there, as compared to saying 1,850 for every lot throughout -- you know, in terms of size proportion. I know it doesn't change the size of the -- what's going to be built. I'm just intellectually curious on the rationale.

Tucker: Sure. Mr. Mayor. The -- the -- yeah. The end units -- when you do townhomes the -- the end lots are -- are usually a little bit wider because of the setbacks. So, to build the same unit to have that setback on the end unit, they have zero lines on the middle, but you have a setback on the exterior unit, so they need to be a little bit wider.

Simison: And that's for roadway and pathway requirements? Okay. Thanks. Council, any additional questions, comments, or motions? Treg turns into Cinderella at 10:00 o'clock.

Bernt: Is that my attitude or something else?

Simison: Your slipper. It just falls off.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Bernt: Mr. Mayor, I move that we close the public hearing.

Simison: A motion to close the public hearing.

Borton: Second.

Simison: And a second. All those in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: If there is no more discussion, I move that we approve File No. VAR-2022-0004, including approval for the request of a variance to reduce the minimum lot size in the R-15 zoning district from 2,000 square feet to 1,6194 square feet.

Simison: Before there is a second, do we need to do the annexation before we can do the variance?

Nary: Yes, sir. We should do the annexation first.

Simison: So, we will have to do Item 8 first.

Bernt: I quit.

Nary: I just wanted to hear you one more time.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we approve Item No. H-2022-0056, including the -- the annexation, the preliminary plat and the conditional use permit.

Borton: Second.

Simison: I have a motion and a second. Is there discussion or anything that staff needs further?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I think inclusive in that motion is the waiver of Condition A-1-C in Section 8, referencing the 25 foot landscape buffer.

Bernt: Yes, sir.

Borton: Okay.

Simison: Beachfront Avenue. I had to say it. There is no -- no way. Second agree -- first and second both agree?

Borton: Yes.

Simison: Okay. Is there further discussion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I just wanted to say that I'm -- I'm still not in favor of the variance. However, I understand you have the votes for it, so I'm not going to vote against the entire project for that reason. But just wanted to put that on record that I would rather not open that up to have a multiplicity of developers asking for similar requests, because it -- it will significantly change the intention of our planning and -- if that becomes a regular request. So, that -- I hate to say that, because I would hope it wouldn't be the case, but I just think keeping consistency in those -- in things like lot sizes and -- and minimum square footages is really important for us.

Simison: Is there further discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Bernt: Are we ready?

Simison: Yeah, we are ready.

Bernt: Ready to roll now.

Simison: Councilman Bernt.

Bernt: I move -- do we have to close the public hearing for this one, too?

Simison: They were both closed.

Bernt: Okay. Mr. Mayor, I move that we approve Item No. VAR-2022-0004, including the request for variance to reduce the minimum lot size in the R-15 zoning district from 2,000 square feet to 1,6194 square feet.

Borton: Second.

Simison: I have a motion and a second to approve this final item. Is there any discussion?

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Council Member Bernt, is the basis and the findings that you want Planning to prepare is based on the challenge and hardship created by the roadway of Highway 16, as well as the hundred foot easement of the drain that crosses -- bisects the property as well.

Bernt: Exactly. Yes, sir. That's --

Nary: Thank you.

Simison: Second agree?

Borton: Yes.

Simison: Okay. Is there further discussion on the motion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

FUTURE MEETING TOPICS

Simison: Is there anything under future meeting topics or do I have a motion?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: My final request. I move that we adjourn the meeting.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 10:02 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

_____ MAYOR ROBERT E. SIMISON	_____ DATE APPROVED
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ATTEST:

CHRIS JOHNSON - CITY CLERK