

A Meeting of the Meridian City Council was called to order at 6:00 p.m. Tuesday, August 8, 2023, by Mayor Robert Simison.

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

Also present: Chris Johnson, Bill Nary, Caleb Hood, Bill Parsons, Sonya Allen, Brian McClure, Sean Harper, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

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

Simison: Council, we call the meeting to order. For the record it is August 8, 2023, at 6:00 p.m. We will begin this evening's regular meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance.)

COMMUNITY INVOCATION

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

Hanke: Good evening, Mr. Mayor, Members of the City Council. Thank you again for the opportunity to come and lead the invocation. Let me pray. God, we thank you for this evening. We acknowledge you as our leader who put the breath in our lungs to do the work that you have provided for us this day and so I ask humbly that by your Spirit you would lead the City Council, that you would give them wisdom, discernment, courage to choose the right as they conduct their business. I thank you for their service and their leadership in our city and we ask humbly that you would help us to be a city whose neighbors love one another and serve one another, that you would guard and protect those who serve us on the front lines in the police force and the fire and the medics. God, as our teachers and principals and students prepare for back to school this coming week we ask that you would bless our school year this year. We ask all this through for your glory and our good through Christ, amen. Thank you, Mr. Mayor.

Simison: Thank you.

ADOPTION OF AGENDA

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we adopt the agenda as published.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

PUBLIC FORUM – Future Meeting Topics

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

Johnson: Mr. Mayor, we did not.

ACTION ITEMS

1. Public Hearing for Proposed Fall 2023 Fee Schedule of the Meridian Parks and Recreation Department

Simison: Okay. Then with that we will move right on to our action items for this evening. First item up is a public hearing for proposed Fall 2023 fee schedule for the Meridian Parks and Recreation Department. We will turn this over to Mr. White.

White: Good evening, Mr. Mayor and Members of Council. Like Mr. Mayor just said, these are -- the fees in front of you are for the 2023 Fall Activity Guide. With that I will stand for questions.

Simison: And for the record that was opening the public hearing on this topic, if I was -- didn't make that clear. Council, any questions for staff? Okay. Thank you. Mr. Clerk, do we have anybody signed up to provide testimony on this item?

Johnson: Mr. Mayor, we did not.

Simison: Okay. Is there anybody present who would like to come forward and provide testimony on the proposed Parks and Recreation fees or if you are online you can use

the raise your hand feature. There is people online or in this room, that leaves us only one online. Seeing no one coming forward, do I have a motion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Move we close the public hearing on the proposed fall 2023 fee schedule.

Overton: Second.

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

MOTION CARRIED: ALL AYES.

2. Resolution No. 23-2400: A Resolution Adopting the Fall 2023 Fee Schedule of the Meridian Parks and Recreation Department; Authorizing the Meridian Parks and Recreation Department to Collect Such Fees; and Providing an Effective Date

Simison: Next item up is Resolution No. 23-2400. Ask the clerk read this resolution by title.

Johnson: Thank you, Mr. Mayor. It's a resolution adopting the fall 2023 fee schedule of the Meridian Parks and Recreation Department, authorizing the Meridian Parks and Recreation Department to collect such fees and providing an effective date.

Simison: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Move we approve Resolution No. 23-2400.

Strader: Second.

Simison: Have a motion and a second to approve Resolution No. 23-2400. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the resolution is agreed to.

MOTION CARRIED: ALL AYES.

3. Public Hearing for Proposed Updates to Mayor and City Council Compensation

Simison: Next item up is Item 3, which is a public hearing for proposed updates to Mayor and City Council compensation. I will turn this over to Mr. Nary. The new and refined Mr. Nary.

Nary: Thank you, Mr. Mayor, Members of the Council. So, before you tonight for the public is a public hearing on two proposed ordinances. Both these ordinances address compensation for both the Mayor and the City Council over the next two calendar years. So, for 2024 and 2025. By Idaho Code we are required no -- no less than 75 days before the election to set the compensation level for the next following fiscal -- or following calendar years. We have had a citizens' committee since about 2005 that we have had varying members of that committee -- of the committee. We have had some continuity though. We have had some members on there for at least ten years and we have taken both business leaders in the community, as well as commissioners and former council members as members of this committee and they help evaluate the compensation for both the Mayor and the Council and they use comparisons, like others in Idaho of like size. Again it's pretty tough in Idaho after you get past about the top five cities the numbers get a lot smaller in population for a lot of cities around the state. And once you get past the top ten they really drop off significantly. But they do look at other cities around the area as to what compensation they provide to their mayor and council and they also looked at a lot of other factors when they made these recommendations. They were looking at the -- the enticement of people to participate in the elective process. The fact that it does take a great deal of time and commitment for a council member or for the mayor and that we want to be attractive to people in the community who want to participate and sometimes, you know, if you have to consider a secondary job and -- and giving up a secondary job to serve on the Council there is an impact financially to doing that and so they were looking at a lot of reasons why they felt some adjustments were done two years ago or at the last election cycle for the last two years. They felt another adjustment was necessary, both for the Mayor's position, as well as the -- the Council. Again, the committee does a very good job in trying to make sure they steer away from the personality side and they are looking really strongly at the positions. What would they -- what they believe as a citizen group that the mayor of our community should be compensated. What they believe a council member on this council should be compensated as a community. So, they try very hard to separate the personality of it and really look at the position and what their expectation -- they think that they as members of the public want to see in people sitting in an elected seat up here. So, their recommendation is in front of you. This is a public hearing as we stated for the public to weigh in as to what those changes would be and so unless you have any other questions that's kind of how we got to where we are.

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

Johnson: Mr. Mayor, we had no one sign up in advance.

Simison: Okay. If there is anybody present that would like to come forward and provide testimony on this item, either in person or online, please, use the raise your hand feature. Seeing no one coming forward, Council, what's your desire? To continue this next week?

Cavener: Yeah. Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Council is supportive. I think it's appropriate to continue the public hearing for another week. I will look to the public to provide -- one more opportunity to provide feedback, either written or in person and I would be supportive of continuing this to next week.

Borton: Second.

Simison: Have a motion and a second to continue the public hearing to next week. Is there further discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it.

MOTION CARRIED: ALL AYES.

Nary: Mr. Mayor, I just want to clarify. So there would be a third reading next week, because it would be the last week we would have to.

Simison: Correct. The decision will have to be made next week with a closed --

Nary: Yes.

4. Second Reading of Ordinance 23-2024: An Ordinance Amending Title 1, Chapter 7, Section 9 of the Meridian City Code, Regarding City Councilmembers' Compensation; Providing a Savings Clause; and Providing an Effective Date

Simison: -- process. So, with that we will continue the public hearing to next week, but we will move on to Item 4, which is the second reading of Ordinance No. 23-2024. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance amending Title 1, Chapter 7, Section 9, of the Meridian City Code regarding City Council members compensation. Providing a savings clause and providing an effective date.

Simison: Thank you. Is there anybody that would like this ordinance read in its entirety? Seeing none, we will save that third reading until next week.

5. Second Reading of Ordinance No. 23-2026: An Ordinance Amending Title 1, Chapter 6, Section 5 of the Meridian City Code Regarding Mayor's Compensation; Providing a Savings Clause; and Providing an Effective Date

Simison: So, we will move on to Item 5, which is the second reading of Ordinance No. 23-2026. Ask the Clerk to read that ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance amending Title 1, Chapter 6, Section 5, of the Meridian City Code regarding Mayor's compensation. Providing a savings clause and providing an effective date.

Simison: Thank you. Is there anybody that would like this ordinance read in its entirety? Seeing none, we will continue -- have the third reading next week. Thank you.

6. Public Hearing for Driftwood Subdivision (H-2023-0021), by Brighton Development, Inc., located at 870 W. Ustick Rd.

- A. Request: Conditional Use Permit for a multi-family development consisting of 57 dwelling units on 4.81 acres of land in the C-C zoning district.
- B. Request: Combined Preliminary/Final Plat consisting of one (1) residential building lot, two (2) commercial building lots and one (1) other lot on 9.01 acres of land in the C-C zoning district.

Simison: With that we will move on to Item 6, which is a public hearing for Driftwood Subdivision, H-2023-0021. We will open this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members -- Members of the Council. Give me just a moment here. The first land use item before you tonight is a request for a conditional use permit and a combined preliminary and final plat. This property consists of 9.01 acres of land. It's zoned C-C and it's located at 870 West Ustick Road, at the northwest corner of West Ustick Road and North Venable Avenue. This property was annexed back in 2007 with the requirement of a development agreement, which was later amended to allow for the development of approximately 60 multi-family residential units and a minimum of two commercial buildings per the approved conceptual development plan. A certificate of zoning compliance was recently approved for site improvements, including an internal shared access driveway with detached sidewalk and associated landscaping and storm drainage. The Comprehensive Plan future land use map designation is mixed-use community. A conditional use permit is requested for a multi-family residential development consisting of 57 townhome style dwelling units on the northern 4.81 acres of the site in the C-C zoning district. A gross density of 12 units per acre is proposed consistent with the net -- excuse me -- consistent with the density desired of six to 15 units per acre in the MUC designation. The proposed development

plan is consistent with the conceptual development plan and associated provisions in the existing development agreement. Access is proposed via a drive aisle that runs east-west through site from North Venable Avenue, a collector street, at the east boundary and North Buckstone Avenue, a local street, that stubs at the northern boundary of the site. The development agreement requires a cross-access easement to be granted to the property abutting the southwest property boundary prior to issuance of a certificate of occupancy for the western commercial pad or when the adjacent parcel develops, whichever occurs first. Compliance with the specific use standards for multi-family residential development is required, which includes private and common open space and amenities, as well as parking. A minimum of 80 square feet of private usable open space is required per unit. A minimum of .46 of an acre of common open space is required. A total of .55 acre of qualified open space is proposed, exceeding the minimum standard. Additional open space totaling .53 of an acre is proposed, which doesn't meet the design standards for qualified open space, but it does provide an additional benefit. All multi-family residential projects over 20 units are required to provide at least one common grassy area integrated into the site design, allowing for general activities of all ages, that is a minimum of 5,000 square feet in area, which shall increase proportionately as the number of units increase and be commensurate with the size of the development as determined by the decision-making body, which is City Council. As staff's recommendation the Commission recommends a minimum 14,250 square feet or .33 of an acre of common grassy area is provided commensurate with the size of the development based on 250 square feet per unit. A revised open space exhibit was submitted as shown that depicts one 5,283 square foot common grassy area and other common grassy areas totaling 16,634 square feet or .38 of an acre, which meets and exceeds the recommendation. A minimum of three amenities are required based on the number of units proposed with one from each category. The applicant proposes a clubhouse, picnic area with a shade structure and a children's play structure in accord with these standards. Based on 13 two-bedroom units and 44 three bedroom units, a minimum of 164 off-street parking spaces are required, including guest parking, with 57 of those in a covered carport or garage. A total of 194 spaces are proposed with 84 of those covered, which exceeds the minimum standard by 30 spaces. Based on the parking provided a minimum of eight bicycle parking spaces are required. Conceptual building elevations were submitted as shown for the proposed town homestyle structures, consisting of 15 two-story structures in three and four unit clusters, containing a mix of two and three bedroom units, with a minimum of 1,250 square feet per unit. Building materials appear to consist of stucco and horizontal siding in two different colors with stone veneer accents. These elevations are generally consistent with those included in the existing development agreement as required. Final design is required to comply with the design standards in the Architectural Standards Manual and will be reviewed for compliance with these standards with the design review applications. Compliance with the building code requirements for separation between structures within the development is also required. A combined preliminary and final plat is proposed as shown to subdivide property consisting of one residential building lot and two commercial building lots and one other lot on 9.01 acres of land. The existing irrigation ditch along the southern boundary of the site is required to be piped with development. The Commission recommended approval of the

proposed applications with submissions in the staff report. I will go over a summary of the Commission hearing. Mike and Jon Wardle, Brighton Development, testified in favor. There was no one testifying in opposition. Patrick McCabe commented on application. Written testimony was received -- a letter of petition submitted by Jessica Lords with 373 signatures in opposition. Christy McCabe and Mike Wardle, Brighton Development, the applicant, stated that he was in agreement with the staff report, except for the requirement of a multi-use pathway, which he requests to be removed. Key issues of discussion. There is already too much traffic congestion in this area. A traffic signal is needed at Ustick and Venable against vehicular connection to the north to Woodburn Subdivision for safety reasons. Children in traffic. Concern parking will overflow into Venable. Too many apartments in this area already, et cetera. Safety concerns pertaining to added traffic trying to get out onto Ustick Road and pedestrians trying to cross Ustick Road. Removal of the requirement for a public pathway to be provided across the site and reason for removal. Possible alternate location for pathway and finally desire for a traffic signal to be provided at Ustick and Venable and a safe pedestrian crossing across Ustick Road. Key issues of discussion by the Commission. They were in favor of the mix of residential and commercial uses, the transition to existing residential uses and the townhome style units proposed. The Commission made the following changes to the staff recommendation. At the applicant's request and with concurrence from the Parks Department, they deleted the conditions pertaining to the requirement of a multi-use pathway on site and those are reflected in the conditions in the recommendations document you have. And they included a requirement for a private pathway to be provided along the commercial portion of the development to the southwest boundary of the site for interconnectivity. And that is also reflected in the conditions. There are no outstanding issues for Council tonight and there has been no written testimony received since the Commission hearing. The applicant is here to testify on the application tonight. Thank you.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: So, just a quick question. Because so much of the feedback and written and -- at the Planning Commission was about traffic, did we or have we ever explored sending this application to our Transportation Commission to get any feedback from them? And, if so, did they offer any feedback on this particular application?

Allen: Mayor and Councilman, no, we did not.

Cavener: Okay. All right. Thank you.

Simison: Council, any additional questions for staff? Okay. Then would the applicant like to come forward?

Wardle: Good evening, Mayor, Council. For the record my name is Jon Wardle. 2929 West Navigator, Meridian, Idaho. 83642. I'm just going to rejoin here, so I can share my screen. So, can I share my screen? No, you're fine. Good evening, Mayor and Council. Glad to be back again this evening. This project actually commenced back in 2021 when we came before this Council to request a modification of the development agreement and this is the next step in that process, which includes a conditional use permit and a preliminary and final plat. As Sonya mentioned, the -- the location here is at the intersection of Venable, which is a collector road, and Ustick, which is an arterial, within a stone's throw, although not directly adjacent to Settlers Park, but very close to Settlers Park, halfway between Linder and Meridian Road. The property is zoned C-C and this depicts both Comprehensive Plan and the zoning map. A little bit closer here showing the nine acres of property that is before you tonight for the conditional use permit and preliminary/final plat and one more close up of this. Before you tonight we are specifically requesting a preliminary/final plat, which is for four lots, and I will get it up in just a second -- and a conditional use permit for the residential portion of this project. Back in 2021 when we brought this to you we had proposed two commercial lots and 57 townhomes and so this is consistent with that modified development agreement, but because of the process we are here for the conditional use permit part of this as well. As I mentioned the townhomes represent about 4.81 acres and the overall plat is 9.01 acres. As Sonya mentioned, the -- on the conditional use permit part of this there are 57 townhomes all two stories in nature. Each of the homes has a garage, as well as parking in the driveway there and we have also added additional parking spaces around the little clubhouse amenity and parking on one side of the road. Earlier this year -- maybe it was the end of last year now -- we finished the -- the drive aisle which goes east to west and put the improvements in, so that the future user to the south, which is St. Luke's, can come forward at the time that they determine necessary or that they are ready to do that and we also have development applications with your development department to do site improvements that would represent the townhomes here. The overall project will include a small clubhouse for residents here. Be about 2,000 square feet. We will have a tot lot as well and we have a couple of grassy areas, which are spread through the project. Of note the -- we have both -- what we would call alley loaded homes on the interior here and, then, we also have on the perimeter -- these would be front-loaded homes and we will get into the kind of elections here in just a second. This is the exhibit that Sonya showed depicting all the open space and the project in compliance with the open space requirements. This also shows -- represents -- even though we are a resident project we are in a C-C zone, so there is a 25 foot setback required within the C-C zone against residential and so that's represented on the north and on the west side of the property. This shows the different types of homes that will be built. They are in a series of three and four unit buildings. Like I mentioned, there are alley and front-loaded homes. The -- on the perimeter they are generally the front loaded and the blue represented here would be the internal or the alley-loaded homes. The preliminary and final plat -- it's pretty simple. It's really four lots. We have one lot which is represented here in green as the residential lot. The drive access and storm drainage, which has already been completed, is the blue lot. And, then, we have two commercial lots, which would be the future commercial that St. Luke's owns. We do concur with the staff report and recommendation that came out of the Planning and

Zoning Commission. We respectfully request that the City Council approve both the conditional use permit and the preliminary/final plat. And with that I stand for any questions that you might have tonight.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you, Mr. Wardle. So, I'm going to ask the same question I asked on every one of these applications that have the private streets. First, what will be the width of the private street and, then, second, is there a location where utility vehicles can park -- furniture delivery, Norco trucks, Amazon trucks, all of the above that daily move through our neighborhoods, where they go to drop off what they need to drop off for the residents if the streets are really too narrow to have -- have them go through?

Wardle: Mr. Mayor, Council Member Perreault, it's a good question. So, there is -- there is a couple different standards that we have here on this project. The drive aisle, which is kind of shown here in the middle, we go through -- the drive aisle through the middle here -- we actually designed that so it would allow for parking on both sides of the road and I believe we are necked in in a couple places. There is, obviously, no parking there, but both sides of that east-west drive aisle are wide enough for parking on the road and cars to pass back and forth. So, there is no -- there is no limitation. When we get interior to the project we are basically a 29 foot back-to-back. So, that would allow parking on one side. The parking on the one side would be -- in this exhibit would be around the alleys. The other side where we have driveways, obviously, you -- you know, there is -- they are pretty close together, so we wouldn't be parking on that side. But each of the homes that are represented here, in addition to the garage, have driveways that can be parked in as well. So, unlike perhaps a typical apartment project where those garages are detached from the units, in this case they are attached, as well as the driveways before those. So, we do have a lot of extra parking here around the clubhouse area and the additional parking and driveways and on-street parking that would be available here. We did work through the dimensions, so that we could comply with the need for additional parking, but also allow for -- whether it's life safety or the utilities or, you know, deliveries to be able to use these streets and not be encumbered.

Perreault: Mr. Mayor, follow up?

Simison: Council Woman Perreault.

Perreault: So, if I'm summarizing you correctly, the street locations that are directly next to the -- the front of the alley load -- so where they would get out of the vehicle and walk to the front door, those -- those are all going to be areas where parking will be permitted, but not the locations where a driveway to the home is accessible; correct?

So -- so, where the alley loads -- on the back of the alley loads that there will not be parking in that section?

Wardle: Mr. Mayor, Council Member Perreault, through the alley -- the alley is wide enough that cars can go in and out and there are driveway aprons in the alley as well. But on the front of those homes you would be allowed to park on the street in front both on the north side and on the south side of that alley section. So, naturally on the outside where we have driveways there is really just not enough room to be able to park a car there in front and we felt like the alley side was the appropriate place for that to occur.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks for being here. Talk to us a little bit about the location of the open space and it does sort of stand out to me that it's kind of -- where it's off to the side, it's not very centralized, just help -- help us understand that a little bit.

Wardle: Mr. Mayor, Council Member Strader, as you recall perhaps from the modification of the development agreement -- in this particular area and with your Comprehensive Plan that talks about these mixed-use neighborhoods, they talk about having some plaza areas and having some -- a focal center of the project. We have -- we have always shown that this little clubhouse element, which is shown here on the right-hand side, would be the focal point coming in to the project. We -- we did also look at how we could create some other open space and that's why the majority of that grassy area is central up here to the north and there will be a little bit of a gazebo up there as well, but the concentration of the open space and that clubhouse where mail delivery will happen, where the tot lot is and where residents can -- can come together is really there at the entry of -- of this neighborhood on Venable just off of Ustick. Keep in mind that is four acres little between -- almost five acres. It's not a huge project. I do know that when we do much larger projects we -- we are trying to distribute the open space throughout, but given the size of this we are not talking great distances in terms of walking, we have ensured that we have sidewalks throughout, so it's very easy for people to get to either the little clubhouse element or up to the open space to the north and so we -- we did think about it. We did look at it. We didn't tuck it back into the back rear corner. We also have an area which is a storm drainage area, which probably would be grassy, but that's actually excluded from this calculation. It's not part of the residential piece and that's off to one side as well.

Strader: Can you talk to us a little bit about that storm drainage area and what it's going to be like? We have seen them done poorly and we have seen them done well, so --

Wardle: Mr. Mayor, Council Member Strader, it -- obviously, you know, the key to storm drainage areas are can we keep them maintained. There is a requirement of the city that, you know, we -- we do need to have grass in there. It can't be just a sandy bottom.

We did do a storm drainage basin here, because if you go too much further deeper the sewage beds just don't work. This -- this is one of the areas where storm drainage can occur. This is not intended to be a -- a retention basin, it's just simply a detention that that short event it will capture it and, then, it will dissipate out. Very similar to other storm drainage facilities like we have done out at Century Farm where we have similar separation issues between the bottom of those and an ordinary high ground water.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. I guess maybe one more. If you could just speak to the -- you know, ACHD staff report and some of the concerns about traffic. The road is rated as a D acceptable level of service is a year better -- it sounds like there was a planned roundabout that now will never come to fruition. So it's very unfortunate. You know, where could people expect a crossing one day? You know, help us understand how the neighborhood is going to handle, you know, the trips coming through here.

Wardle: Just one second here. Mr. Mayor, Council Member Strader, you are correct. Once upon a time ACHD had anticipated or had considered a roundabout at the intersection of Venable, which is the collector and Ustick, which is the arterial. Over time projects have been approved and the right of way needed for such an improvement are unable to happen there. There is projects on the south now that are there and, in fact, it was supposed to have been picked up earlier in the staff report. They did amend their staff report showing that that's no longer a condition. But ACHD is saying that this would be the location of a signal. The question becomes is when does that signal happen. One of the things that doesn't exist today on Venable, at least on our side of the property, is there -- there are no sidewalks. There is no curb. There is no gutter. It's not improved. So, we are improving that. So, that part of the roadway will be finished coming down to Venable and so Venable will be a complete intersection. We have been told by ACHD with the completion of the work that we do, they really will be able to come back and do a signal at some point in the future. But it's not designated at this point in time. That perhaps is a question -- or a conversation that could occur between the city and them. But, yes, a signal would be at this location and this would be where the natural crossing would occur across Ustick.

Cavener: Mr. Mayor?

Seal: Councilman Cavener.

Cavener: Mr. Wardle, appreciate -- I want to stick kind of with some of the conversations about Venable and a little bit related to open space. So, certainly I think the location of your -- of the clubhouse seems to make a lot of sense. The part that is a little bit of a head scratcher for me -- and I think you can probably maybe paint of bigger picture -- is the location of the tot lot right there next to Venable. You know I have got a seven year old and I always feel like every time I'm at the park -- any of our parks

where is Lincoln at? Where is Lincoln at? Right? They are running around. They are playing. And so I worry a little bit about location of the tot lot in such close proximity to Venable and so maybe give me a little flavor about what you are doing to make sure that this neighborhood's little Lincolns don't run into Venable and we get an unfortunate accident.

Wardle: Mr. Mayor -- appreciate the question, Council Member Cavener. It -- it is a fair question. Because Venable is a collector there are requirements that we have. There is two things that we could do. One is a berm. The other one is a fence. And our -- we were anticipating in this location we would end up doing a fence that would keep that directly flowing into Venable. We -- we are detaching the sidewalk as well. So, the sidewalk is not right on Venable. So, we do have the eight foot planter. We will have the five foot sidewalk. We -- we will just set off from it. If you go to the north there is a fence that exists currently with those neighbors over there. We did look at putting the -- the tot lot actually over in the other area, but we felt like being closer to where people would be coming to get their mail or gathering, those type of things, that we just felt like putting those things together made more sense. Could that be flexed? We could. We could -- we could move that. But based on the -- the amenities that we put in here we felt like that's where it made the most sense and we could keep protected residents with a fence or some other element that would keep them directly off of Venable.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Feedback. And you guys always really put safety in all of your projects. So, not a criticism, but I -- I -- again, it's probably a preference thing. I think it's location at the other piece of open space to me seems a more appropriate location. It just -- it takes away the opportunity I think for eventual conflict to happen between a motor vehicle.

Wardle: Mr. Mayor, Council Member Cavener, we do have one more step in the process after this is there is a certificate of zoning compliance. With that feedback we could look at that and come up with a solution perhaps of -- of moving that over there, but we are -- we are open to that suggestion.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Wardle, on Venable as you are coming out to Ustick Road, I know we -- where I live is just a mile to the west and the right turn lane or right and left turn lane is wide enough to accommodate cars going both directions. So, if someone's turning left -- and I know there is lots of traffic on Ustick -- they are going to be waiting there for a while, but there is still enough room to make a right turn, you just have to pull out a little bit so you can see and then -- then you move on. So, you don't get a big stacking. Is

there room for a right -- and it's not officially marked right and left, it's just wide enough to accommodate two -- two -- two vehicles side by side. Does that accommodate two vehicles side by side in the -- in the right-hand lane, the southbound lane?

Wardle: Mr. Mayor, if -- if I have the question correct, Council Member Hoaglund, what you are asking is whether basically coming southbound on Venable -- is there room for both a right-hand movement and a left-hand movement or a through movement. Is that correct?

Hoaglund: Correct. Yes.

Wardle: Mr. Mayor, as it stands right now the intersection really -- because the curbs are there -- really just allows two cars, whether one is coming up or down. Now, there is a possibility that that accommodation could be made when ACHD looks at that. I wrote a note that one of the things that they requested of us with the commercial use coming in was to create a center turn lane, which we are doing. We are creating the center turn lane so a left-hand turn can come into this. We believe there is probably sufficient room that if they wanted to do that dedicated right or the left through that's possible and maybe that's an item they look at when the -- the signals come in in the future. But at this point they have not indicated that that would be the configuration.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. I -- I -- I would like it to be looked at, just because, you know, the park usage -- there are times of traffic when ball games are out for softball games, you know, it -- you have people coming and going at kind of in -- in bulk if you will. So, having -- having that ability to at least have two lanes on that southbound so people aren't held up that want to turn right and they are able to go left is to sit in their own side if you will and through -- I don't know how many would go through. You would have to pick a lane and decide, oh, I'm -- I'm going straight, but having that ability I think ACHD -- I would encourage them to take a look at that just to help facilitate the traffic flow.

Wardle: Okay. I'm making that note.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: To close the loop on that, that's something that -- I mean it could be added as part of this application and plat. I -- I would -- there is a risk ACHD incorporates it in 14 years, but I think Councilman Hoaglund is really spot on. That single car left turn will just shut it down for a long time or be encouraged to take a really really risky quick move with stressed out people behind them, so is there a reason that -- even though it's not

required by ACHD you don't have the two lanes that allow you to go left and someone to go right at the same time onto Ustick?

Wardle: Mr. Mayor, Council Member Borton, I just need to go back to ACHD and ask that question. I mean they are -- they ultimately would be the ones that would review that. So, I just need to say can we do this and see what their response is. My -- my guess is they -- I wouldn't see that they would object to it. We, obviously, are creating a turning situation there already. The -- the design that we have here coming up to Venable is based off of the curb returns that are there today. There is -- it doesn't continue up on the west side of Venable on our side. So, we were, you know, expanding, making the connection happen and that's the intersection that's there today. Obviously they will have some work that they need to do in the future, but it's -- it's a good question and we can ask them and -- and work through that -- that request.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: It is helpful in those discussions if the city requires it or something almost -- I mean just as close, really to help -- sort of to nudge it along. It just seems like, you know, when you have an opportunity to negate an aggressive left-hand turn onto an arterial -- I mean Ustick's intended to be crowded in perpetuity. So, I -- that's a really good observation by Councilman Hoaglund that maybe there is an opportunity that we can help you have ACHD agree and accept that as -- in a -- a safety element.

Wardle: Mr. Mayor, Council Member Borton, perhaps instead of the word require, because that could open up a moment where nothing can happen, strongly encourage and we can work with ACHD to see if we can come up with that solution with this project at this time.

Simison: And maybe to piggyback on that -- I mean if a light goes in it really nullifies that to a certain extent, because you are going to have a controlled left-hand turn when it tells you you can turn. So, is it either or? Or both? Or -- although I'm -- I'm sitting here trying to rack my brains about where -- the only one I can think of is like Costco over in Boise where they have a right lane out and everyone else essentially turns left in that regard. I'm trying to think of other situations locally on a -- not a main road where we have a right and a left -- and I'm sure they exist, I just can't think of it. But that could be part of the conversation with ACHD as well. I don't know which we -- we prefer. A light. Land. Both. Neither.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: To that point we are -- we are getting a light I think in 2025 for our exit onto Ustick and -- and because it was all new at the time they designed it that way. We do

have a center island type thing, but with that room on the right-hand side it makes it easy for when that light goes in there is going to be a right-turn lane and a left-turn lane. So, we don't have stacking, we have office -- dental offices on the front area and, then, of course, it's a very large development that comes behind it and that cuts all the way through to Ten Mile, so people sometimes use that to go through. So, we have a lot of traffic through there. So, it just really adds a nice ability for flow and that you just aren't -- aren't stuck. So, yeah, again, it would be something I would strongly encourage ACHD to take a look at just because it would -- Ustick is carrying a large volume of traffic and always will. So, it's just one of those things that will help -- help everyone who are trying to get on to Ustick Road that ability to do so in a little more timely manner than some of the longer waits that we have.

Simison: Council, additional questions or comments for the applicant?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just I guess a question. I would just ask the clerk if ACHD was on, but it sounds like they are not unfortunately. It would be great if they could attend these, you know, a representative. I know it's difficult. But just a comment that it really would help, you know, facilitate these conversations to have a representative from ACHD here and we will have to give them that feedback. I'm a little bit disappointed, just because I feel like there -- there are somehow, you know, a ball got dropped between their original plans for a roundabout and, then, now this intersection. I would like to understand the timing of that, so that -- that's probably my biggest hang up at this point.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. I'm sure you have read through the public comments that we have received and one of the concerns was regarding the private land will connect the subdivision to the north. If it's me, I'm not driving through this project to get to that subdivision -- or to go through there to cut through, because you -- you have very narrow drive aisles. It's probably 20 miles an hour and you don't want to be driving by people's driveways. But with -- if the intersection improvements don't come about as anticipated that could very well be a possibility that folks use this as a cut through and so can -- can you just verbally address for us your thoughts on whether you would, you know, put up some signage that says this area is for residents or -- it's my anticipation is this is -- these are going to be rented and so because these are private lanes I wondered if there might be a way to mitigate some of those concerns through traffic slowing and also some signage. So, if you could address that that would be great.

Wardle: Mr. Mayor, Council Member Perreault, yeah, I mean absolutely. Everybody I think is concerned about cut through traffic. If you do look at the nature of this project,

however, and where it sits, it's unlikely that the through traffic is coming from Driftwood into that neighborhood. It's really flowing the other direction. ACHD wanted to maintain and has required that the access be opened and left open and so, obviously, Woodburn, when it was developed I think 2005, 2006, that's when that stub street went in and that's when -- and so we have connected to it and that condition has continued to be there. Regarding signage and speeds and things like that, we are -- we are happy to -- and we have done this in other projects about -- in particular probably -- probably the issue that comes up most is on construction traffic when new projects come in with existing, we can -- we can take care of that and also figure out something that would be appropriate for good neighbor interfaces. But in terms of this cut through the other direction, I just don't know that there would be a lot of traffic coming out of Driftwood into Woodburn back to Venable when they can get directly to Venable or they are getting over to the park. There is just not a -- a path or a direction besides neighbor to neighbor dropping something off to a neighbor that lives in another place, but cutting through Woodburn from Driftwood it will happen, but I think the -- the reverse is going to happen a lot more where Woodburn would come through Driftwood.

Perreault: Mr. Mayor, I have follow up.

Simison: Council Woman Perreault.

Perreault: I agree that that's how I would -- that's what I would anticipate as well and I just wanted to give you an opportunity to address it publicly. It -- I have -- I'm familiar with Venable and -- and I believe if -- it doesn't go directly to Meridian Road, but you can take that through and exit out Meridian Road. I think you go through a couple of subdivisions and so depending on what happens with the Venable-Ustick intersection, I -- you could really honestly potentially see people cutting through a variety of locations in here and so, yeah, the intersection conversation we have already touched on. It's really important. But whether -- whether folks are coming from Woodburn through Driftwood or vice-versa I think there definitely needs to be something that sort of addresses the flow of traffic and -- and that -- that this area is for your residents primarily. So, hopefully, that will be something that you will consider.

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

Wardle: Thank you.

Simison: This is a public hearing. Mr. Clerk, do we have anybody signed up to provide testimony on this item?

Johnson: Mr. Mayor, I have one in advance and one online. First in the audience is Martha Lawrence.

Simison: Good evening. And if you can state your name and address for the record and you will be recognized for three minutes.

Lawrence: My name is Martha Lawrence and I live on 1150 West Apple Pine Street. We are over there on the Woodburn Subdivision right behind the proposed project. I'm so sorry I'm nervous. I'm -- I'm here in front of the City Council and the Mayor to ask you to please vote no on the proposed Driftwood Subdivision for a multi-family development. Why? Because we as a community cannot afford to add anymore residential units to the area and I will explain why. This project is going to be built on the corner of Venable and Ustick as you know. An intersection that is already very busy and dangerous. The intersection does not have a traffic light and Venable itself is not finished as it lacks turning lanes, bike lanes and no parking signs. In less than a year this area, Ustick between Meridian Road and Linder Road, has seen two developments being built and one more that has already been approved. On the corner of Linder and Ustick the Eddington Subdivision was just built this past year and is still under construction with a total of 104 lots. Across the street from the proposed Driftwood Subdivision at the south -- south side of the intersection of Ustick and Venable the new Wesley apartment complex is being built with a total of 191 units. The already approved Wood Rose apartments will be going on the west side of the proposed project of the Driftwood Subdivision and they have 40 units. So, this stretch of road between, you know, Ustick, Meridian, and Linder is going to have a total of 335 new households and as you are very well familiar with Idaho households, they all have a minimum of two cars. Okay? Which means that you are adding approximately, give or take, a total of 670 cars to an area that is already overwhelmed with traffic. Now, let's talk about schools real quick. As you may already be familiar with Idaho households, just like cars, we have a minimum of two kids. I have two kids, so -- which means you are adding 670 children, give or take, to a school district that just failed to pass a levy to be able to build more schools and provide more resources to the existing ones. How is our community going to be able to support this growth when we can't even get enough school buses to pick up the children that already live in the area? We have that problem. Okay? Realistically there is nothing we can do about the already approved projects and what is being built. Okay? But those are some scary numbers that I just gave you for the residents that live there. Okay? Now, Venable Lane is a subdivision collector street, like they talked about and it serves as a main entrance to our subdivision and is used by others behind us. Putting the proposed Driftwood Subdivisions will not only hurt us as a community, but it will also add to the already stressed infrastructure and school system in the area by adding more to the high number I just gave you. Okay. I just tracked 387 of your residents signed the petition that said they don't want it. Okay? That's 387 citizens are telling you no. Now, I implore the City Council to listen to its residents. As you can see from the numbers I just gave you we are going to have a lot of issues to deal with in the upcoming future. So, please, don't add 57 more units. Please vote no. Thank you.

Simison: Thank you. Council, questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: You are nervous?

Lawrence: Yeah. I am sorry. I have --

Cavener: Your kids should be so proud of you. You did a great job and I -- I just -- I know sometimes this being the first time coming up here can be hard, but you did a great job. I just -- I want to touch on one comment that you made, because I think it -- it helps me understand where you are coming from, because I don't live in your neighborhood.

Lawrence: Right.

Cavener: You said that this development would hurt you and your neighbors. Can you tell me what you mean by that?

Lawrence: So, to -- to touch on what you said about the turning lanes, there is no room for a right and a left. Period. That is -- you get stuck behind someone trying to turn left you are not going anywhere. There is no pedestrian either going south on Ustick to -- for -- to go across or even to cross -- cross Venable. It's going to hurt us in a way and you said, well, people are going to cut through the new subdivision. That's not true. They are going to find ways to cut through Woodburn and go out to either Linder Road or cut out through Meridian Road. We are going to see a heavy flow of traffic. I -- I love my subdivision, because I leave my ten year old son to roam around. We have a little, you know, kind of circle. If I'm worried about more traffic coming through I'm not going to let him and he's not going to like me very much. So, that's going to hurt us in the long run. I mean I'm talking about 600 something cars that are already going to come through already. So, I don't think you should be adding anymore to it. We already have to deal with that, you know.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: A couple thoughts. I appreciate your passion for your neighborhood and for your community. I just want you -- I -- I really value that.

Lawrence: Thank you.

Cavener: Is it, then, if there was a signalized intersection there you would change your opinion? If there was more commercial would you change your opinion? Do you think that if there is dirt -- I mean help me understand kind of what you --

Lawrence: I mean I'm -- growth is coming; right?

Cavener: Right.

Lawrence: Does it have to be residential where you are adding more cars to the area that's already going to have it -- that already has it if you need to put storage there I understand. It just won't be a constant of traffic, you know, and -- and is the signal definitely going to help us? Yeah. But when is that going to happen?

Cavener: Thank you. I really appreciate your testimony tonight.

Lawrence: Thanks.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Have -- have you and your neighbors talked about what you feel would be a good use in that location? Commercial doesn't necessarily mean less traffic. Sometimes it means more traffic depending on the type of commercial and it also could mean more -- more cars to your neighborhood. So, if -- if -- is there -- is the preference or request -- I want to make sure I'm understanding, as Councilman Cavener is trying to do the concerns, but is the concern that -- is the -- I guess the -- what would be ideal that nothing goes there and -- and -- and the owner is supposed to just sit there with a vacant lot and -- and -- and pay their taxes on it or is there, you know, a -- a different use that would be more preferred? And -- and before you answer that let me -- let me say this. There was a comment in the -- in the -- the public comments about, well, we would rather it be single family residential. Well, if you have let's say 30 single family homes in that, instead of 50 townhomes and those 30 have three to four cars each, because you have two teenagers with two cars, that doesn't mean less traffic than 57 townhomes with two vehicles. So, to me having single family doesn't solve the issue of there being fewer vehicles. So, I just want to kind of understand then like is -- is it an issue of cars? Is it an issue of just the intersection and not the actual property itself? Just to help us understand.

Lawrence: To tell you I -- I don't know what you can put there. If it was up to me you would put a park. You know, it's the truth. I don't want anything going there. But I understand people have to do what they have to do. The problem is the intersection. It's not safe and we are already on the west of the way you are proposing there is going to be 40 apartments, you know, and -- and they bleed into Venable. This one bleeds into Venable. All of the other subdivisions bleed into Venable. You know, you have kids going into Settlers Park riding their bikes. Venable itself still doesn't have bike lanes and signs saying no parking, you know. It's just not a safe one and so you are telling me, you know, what do I want? I don't know. I really want ACHD to put a signal and put what they need to there. I mean right now that's what I want them to do. The property itself I -- I can't tell you what would be best there. I just know that 57 more to the other ones -- the 300 and something that are already coming up, it's -- it's -- it doesn't make any sense. It shouldn't make any sense, you know. That's just how I feel.

Perreault: Mr. Mayor, one more question if I may.

Simison: Council Woman Perreault.

Perreault: Thank you for doing the -- the counting on the number of units coming in. That's -- I mean we -- we know because we approve them, but it -- it -- it is good to have the full number. Is there an anticipation that the residents that are on that south side and in those 190 units are going to be using Venable regularly? I would anticipate that they -- you had mentioned that there is going to be potentially 600 and some cars using that intersection, but Venable is really the concern within Ustick. So, are you anticipating that all of these new units -- the residents will be using Venable?

Lawrence: Well, they are going to be using their own Venable, because Venable continues to that south side. You are talking about the 190 on the south side of Ustick; right?

Perreault: Yes. But we are primarily concerned with Venable on the north side.

Lawrence: The north side. Well, this -- I'm talking -- you are talking about traffic turning right and left. Either -- either way they are going to use the intersection, you know what I'm saying? So, if you have 190 people coming from the south into Ustick and, then, we are also coming into Ustick, that's going to be a problem within itself, you know. So, that's just how I feel. We have been seeing a lot of cars.

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

Lawrence: Thank you.

Johnson: And, Mr. Mayor, that was everybody who signed up in advance.

Simison: Is there anybody in the audience who would like to come forward and provide testimony on this item or online? We have one person online that just raised their hand.

Johnson: Jessica Lords, if you can unmute yourself.

Lord: Okay. Can you hear me all right?

Simison: We can.

Lords: All right. Thank you so much. I appreciate the chance to speak. Honestly, I was not going to be able to make the meeting tonight. My dad passed away two days ago, but I feel so strongly about this that I wanted to make time. Martha and I live in the same neighborhood. I'm at 3427 North Anfield in Meridian. Full name Jessica Lords. And I have been following this project since July 2021. At that time -- we have heard a lot of different renditions of what's going on. When we first were concerned about green space and where kids were going to play, we were told that Settlers would be an option for those kids, which, obviously, it is not a good answer I don't believe. We have talked about, you know, Buckstone and how we don't want that to be an entrance. At one point

we were told that that would most likely not be the option, that we could possibly close off or that would be just for emergencies. So, we have gone through a number of renditions over the past few years. I did create this petition, so we could have a lot of people sign it, express themselves. We did say that we would support single family homes and retail. I do not believe that most single family homes are going to have four cars. I -- I don't think that's really a concern as much. I think you are going to have at the most two cars. That's like pretty average for most families. To give you an idea of our neighborhood, I have three kiddos myself. I have a four year old, a seven year old, and a ten year old and the seven year old and the ten year old roam like stray cats. I don't see them a lot of the time, because they are playing with friends. We have got 40 kids that get off from the Hunter bus just at this stop. So, just to give you an idea of how many children that we have in this area. My concern is with Venable, if we have people clogging up Venable trying to turn left, trying to turn right and people can't get onto Venable, what they are going to do -- I know it sounds strange, but I really believe that they will -- because they are going to go north and they are going to go through Buckstone and they are going to join the line there, instead of having to wait for someone to let them in and so that is where we are going to see more of traffic through our neighborhood. Another thing that I wanted to point out is if you look at the connector of the little stub street Buckstone there, it almost always has cars -- cars on both sides of the road. So, usually there is about four parked there at all times. So, you are going to have people turning where there already is a lot of congestion just from the local neighborhood. So, that is a concern as well. One of the things I -- I was able to listen to the last meeting. One of the things that came up -- I -- I honestly don't remember who said it, but they said that they empathize with the citizens, but they don't believe that we can hold development hostage on the whims of ACHD. I completely understand that, but it does feel like what's happening instead is we are holding the concerns of this development, which will be owned by Brighton -- they will be doing the rents -- or rental through them. It's not going to be owned by, you know, private citizens who are renting to other people, they are the ones making the money. We are worrying a little bit more about them in their timeline, rather than all of the citizens who live here and call this home and, honestly, really really love their neighborhood.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: No questions. Just a comment. Jessica, thanks for your -- your communication to the Council. It wasn't lost on me that you have been tracking this project better than most people in our -- in our community and just for what it's worth, I think your feedback has made this project better and I just want to say thanks for being an active and engaged citizen and joining us tonight and I think on behalf of the Mayor and Council we are sorry for the loss of your family.

Lords: Thank you.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just a comment. Jessica, your -- your point about cut through traffic -- well, you make a lot of really good points, but one of your points seems to add further support to this drive in tonight's discussion about adding an opportunity southbound on Venable to be able to turn right at the same time as you can turn left. So, is that a stack -- I think that's stacking. Not only it creates an unsafe turning condition, but your point, which I think is a fair one, indicates that it might encourage folks who are frustrated with perpetual stacking to -- instead of turning right and sitting, they maybe turn left and try and find some way cutting through your neighborhood to avoid that problem. So, it seems like what you are bringing up just further supports tonight's discussion about creating two -- two opportunities to turn southbound on Venable that Councilman Hoaglund had brought up. So, I appreciate that perspective.

Lords: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you, Ms. Lords, for being with us here tonight. You know, I -- I -- I get where you are coming from in terms of the -- the fears. You know, you have a large number of children in your neighborhood. I guess a question for me would be, you know, what -- what kind of process would get you comfortable and what kind of changes would help, you know, if -- if there was a combination of this right and left turn at Venable and Ustick, maybe in combination with like a pedestrian plan that would actually show you where the sidewalks are going to be, because this development would actually help improve to some extent the pedestrian facilities around it. If you could see that plan, you know, if -- even if, for example, ACHD added a speed bump or something like that, you know, are those the kind of things that would get you comfortable or what would you like to see here, because, you know, it -- it is multi-family, but it is -- at least it's townhomes; right? And -- and it's not like a -- a four story apartment building, thank goodness, which should be totally out of place here. So, I -- I guess I'm -- I'm curious, you know, what -- what kind of changes do you think would help it work or what kind of -- what kind of process would you like to see that would help you, just from a -- a neighbor perspective.

Lords: I appreciate that question very much, because I -- I think you bring up a few really interesting points. One of them is for me I don't think there is a lot of pedestrian traffic at the moment, because there is not a sidewalk there. So, I know with my kids I kind of have to cross to the side of the street and, you know, we -- we do our best, but there -- there is not a lot of pedestrian traffic there. So, I really can't speak much to that, because I don't see a lot of that personally. I guess one of the things that I had talked to Brighton previously about was would there be a possibility that we could either have two

exits onto Venable, to be like a one way sort of direction that you would do a loop. So, at least that would control the traffic somewhat that you don't have people kind of going every which way, that you have like an entrance and an exit. Another option that we had talked about at one point is if we couldn't do their own exit onto Ustick, as well as Venable, which would sort of cut that in half, would we possibly be able to do -- I believe that there was going to be another street built between the Wood Rose properties, as well as these Brighton properties and that would go on to Ustick and so those were other options that we thought would provide a better flow of traffic for everybody.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I will let the applicant address those possibilities in their -- in their comments. I do know from reading the report from ACHD that they would not allow an additional connection onto Ustick and there is good reason for that. You know, if they started letting every development have its own connection to a major roadway like that, then, it really wouldn't serve all of us well in the -- in the long run in the big picture of things. But, you know, I will let the applicant address whether like some kind of a loop or something is possible, but appreciate your feedback and appreciate, you know, the proactiveness on your part I think to get those concerns out there.

Lords: Thank you.

Simison: Council, any additional questions? Okay. Thank you very much. Is there anybody else in -- in the audience that would like to provide testimony? If you would like to come forward, please. State your name and address for the record, please.

Phillips: David Phillips. 1953 North Tessa Avenue. Totally not here for -- I have been listening. First I want to -- I'm so thankful that we have a Mayor and Council that is genuinely seeking out the wants and needs of the people who do live directly in the area of this subdivision. I was thinking when I first walked in, man, that developer knows everybody in here and seems super comfortable and, then, the lady walked up and she was uncomfortable and Councilman Cavener and the rest of you guys were really appreciative. One of the things living in the area that I do where we are seeing a lot of developments going in and the roads aren't changing, is retail isn't always going to bring more traffic. We -- as the lady said, there is already going to be X amount of cars because of these houses, but if you were to build something that was more in line with what the community might need, like some retail purposes that could create opportunities where people could walk to these things and they could enjoy them in the community, you know, where they wouldn't have to have a car, that wouldn't bring more traffic. And, then, two, I'm not sure if anybody -- if you guys ever drive down Ustick when it's crazy -- like during the afternoon I avoid it like the plague and could you imagine once the apartments go in it's going to be worse. These houses, it's going to be worse. So, I know this whole density issue where we are trying to build denser and denser and denser -- I know why we are doing it, but we have to realize there was a

reason why it was single family homes in the beginning was because the more dense we make things the more we are adding to the existing problems and the fact that ACHD and West Ada are not pre-stamping that this isn't going to affect them, they have everything figured out in my opinion it shouldn't even be in front of the city, because this is the problem with ACHD, they just dump everything off on the city, they never do what they are supposed to and they make promises -- like Council Woman Strader said, this was supposed to be a roundabout -- not a big fan of roundabouts, but over and over and over again in my opinion ACHD overpromises and under delivers over and over again and, then, you have residents like these -- these two ladies who have kids who -- I could tell you right now when I'm stuck in a place where there is no way to get out, I'm finding a way through the development. I'm opening my Google Maps and I'm like how do I get out of the mess. So, there is a lot of issues that developers just rubber stamping and to rental units -- those people aren't vested. Those are people that are just kind of looking for an opportunity to find a place to live until they find a permanent house. So, with rental units sometimes you get really good renters, sometimes you get really bad renters, so -- but just wanted to add in those two cents, because I have done a lot of stuff with this in the past and thought of those things, but I just want to commend you guys for being so open and thank you.

Simison: Thank you. Council, any questions? Is there anybody else that would like to provide testimony on this item? Seeing none, does staff want to make any comments before we invite the applicant?

Parsons: Mayor and Members of the Council, I would like to just -- just chime in on some of the comments that -- that I heard during the testimony. Not -- didn't really take anything away from the applicant, but I -- hearing what the residents say staff does take it to heart, so I at least want to give the neighbors some context as to how we get here and -- and how the process works, because I think it's very important. First of all, worked on this project in 2007 when I started with the city and at that time the concept plan did contemplate all commercial uses on this site and the developer at the time that owned this had a very grand vision for this site and, then, over time, as you guys all know, they tried to market that and try to wait and be patient and at that point 2015 they came back again and said, hey, we think we can make it work and they amended the development agreement, the contract, changed the plan, still try to keep that commercial component, but -- but, again, no success. So, we are eight years into this project with the C-C zoning -- he's hearing from the city we want nothing but commercial on this corner, but nothing -- he's saying he can't make it work. Here comes Summer Town across the road, which is that other multiple-family projects. In 2017 they came up with a TN-R zoning. We told them we wanted a mix of residential uses through that process. This Council did knock down the density, because you were concerned about the traffic and what was happening in the area, but at the same time as staff was presenting that project to you we wanted to hold this corner for commercial, because we realized this whole area -- this whole intersection was part of a mixed-use community and we wanted to make sure that we did get those neighborhood serving uses. Again, the applicant -- again, the -- the -- the buyer was there being very patient, tried it again, it didn't work. In 2021 this applicant developer came forward and modified that contract,

the DA, which showed medical on the front and this particular residential project this evening. So, although we are hearing what the neighbors are saying about traffic and integration and wanting more commercial uses, what I'm trying to point out is that it's been tried since 2007 to do something like that. The contract has been amended throughout the years and now we are here tonight talking about is this still consistent with that contract and you hear from staff that it is, you hear from the Planning and Zoning Commission that it -- that it is. Now, I -- I agree with you, I wish ACHD was here to defend some of their decision making on this particular application, but in talking to the applicant there is 50 feet of right of way that ACHD owns currently. So, there may be an opportunity to reconfigure -- reconfigure that intersection and make it work the way you guys were talking about it this evening to mitigate some of the traffic concerns. Unfortunately, we don't have somebody here to confirm that. So, it really comes down to your comfort level tonight, whether or not you want to move it forward with that condition that they work with staff and ACHD at the certificate of zoning compliance level to make that happen or continue the project and get -- allow staff or the applicant to work with ACHD and get that information for you. So, I really just wanted to go on record that we hear what the neighbors want, we tried to do that, we have a contract in place, there is certain things we have to do as staff and a city. This particular case tonight is -- is that particular instance where we have a contract in place. We have a concept plan. The applicant is here to make sure he's meeting the terms of that contract, but certainly with that conditional use permit -- or the subdivision that you are taking on tonight I think it -- it does warrant maybe looking and digging a little deeper and seeing if we can work with ACHD to reconfigure that intersection. That's all I wanted to chime in at least -- at least give you some context as to the city and the previous developer did try to do more neighborhood services on this and just couldn't make it work and I think the -- the -- at least my experience in dealing with that developer was the fact that the commercial was at the mid mile and not necessarily at the intersection -- the arterials that you guys hear all the time from the development community and that played a key role in it as well. Just wanted to give you that context.

Harper: Mayor, a couple of comments.

Simison: Lieutenant.

Harper: Mayor, Members of Council, looking at the -- the southbound on Venable I -- I am still a little concerned, even with the right hand concept -- right-hand turn concept, because due to vehicles being right next to one another sometimes that causes some significant blind spots for those turning right onto a 45 mile an hour roadway when you have cars stacking to turn left. Unless they stagger the lanes to where the right-hand turn can sit further out and be able to see, but I think there is some significant work that has to be done at that intersection, maybe even through conversations with ACHD to add in the straight turn, but have it closed, so, then, it gives you a buffer of a buffer lane between the left and right. So, with the -- when they come to develop that with it -- as a true controlled intersection, then, they already have the center lane developed. So, I think it can be accomplished, but having cars stack right next to each other doing two movements potentially at once -- fortunately we have very few accidents in that area

currently in that last couple of years -- I think in the last three years we had a total of six crashes in that area, maybe seven. So, the crashes are low, but I -- I -- I still have some concerns with the idea. I think it's obviously needed, so you don't have a stack of cars backup Venable, but I think it could improve even beyond that and prepare it for future changes.

Simison: Council, any question -- or any -- okay. All right. Then with that we will ask the applicant to come back up for any final comments.

Wardle: Mayor and Council, for the record Jon Wardle. 2929 West Navigator, Meridian, Idaho. 83642. Just going to share again -- leave this one up, because it kind of gives an overview of -- of some things that are going on here. One of the questions was -- and -- and also mentioned in the staff report was what -- what happens between our property and the project that's already been approved, which is called Wood Rose. On the south side of Ustick the road is called Blairmore. If you continue it up I think it's also referenced as Cooper Lane. So, there is going to be some naming things there. But Wood Rose, when they brought through and got their approval, they are having a single point of access onto Ustick in alignment with Blairmore, which is represented by this arrow pointing north, kind of in the middle of the screen here. One of the conditions that was required, which was agreed to, it becomes a -- becomes a timing question, but doing cross-access through the commercial property out to Blairmore, so that both of the projects could get to that point. We actually have a driveway that exists today on Ustick, but as a condition of approval from ACHD that goes away and the cross-access would occur between the Driftwood project and Wood Rose. There is one intervening property owner -- maybe even two property owners between what is Cooper Lane and Blairmore, so that -- all that is controlled by either one of us, but at least there would be a concentration or opportunity for some cross-access there. I -- I do want to correct at least one statement that Ms. Lords made, because I remember specifically was -- the question came up in our neighborhood meeting process and I also just want to go to this as well, that the neighborhood meeting process wasn't just a one and done process. This started back in July of 2021 when we brought this development agreement modification before Council. We had a neighborhood meeting then. We had a neighborhood -- neighborhood meeting on October 25th, 2022, and we had another one on March 23rd, 2023. Some of the residents were unable to attend. We offered to do another one with Ms. Lords, reached out to her several times and ultimately we were told that they would just bring their concerns -- because we are not interested with -- at this time to do it. We will just submit our comments directly to the City Council. So, we have not had the -- you know, we haven't been open to conversations. We have actually had a lot of conversations with neighbors, but the question that came up specifically was -- is the connection needed at Buckstone to the north and our comment was we don't need it, but ACHD has already created a stub street there and we will comply with the requirements that they make us do. So, that's why it's still there. We never said we wouldn't do it. We actually said if -- if the agency says it wasn't needed or not required, yeah, we don't need it, we ultimately -- we can get to Venable and ultimately we could get out to Ustick in a couple different places when the project fully builds out, but we never said we wouldn't do it. We said we would make the connection

and ACHD has continued that condition from 2007, 2015, 2017, 2021 and here we are today that condition still exists that that connection to Buckstone remain. You had the question about cross-access. I can go into it a little bit deeper, but we are committed to making cross-access that would occur once the -- either the commercial project moves forward or Wood Rose comes forward that cross-access will be granted and that will be a point of access into the Driftwood community. As it relates to Venable and that intersection, yeah, there is a -- there is an additional study that needs to happen there on what makes the most sense. I can't commit today to say that this is the solution, because ACHD ultimately may come back and say, well, we think it should be something else. But I think what should happen is that opportunity to continue that conversation. There will be a signal that will occur here. We are making roadway improvements as well that will make it better, both for motorists and pedestrians alike. But, yes, could we look at the intersection a little bit more? We absolutely could. I just can't tell you definitively that that would be the solution that they would land on, but I do know that ACHD would entertain that conversation. Mr. Mayor, it is true that this -- this property does have history. When I came before you in 2021 there was a lot of conversation about the -- the nature of this project. We were very clear that we were pursuing a mixed-use project and mixed-use in terms of maintaining some commercial there. We were able to find a very good community partner that sees the need here to do something that is not available currently. I can't guarantee when that will happen, but I have met with them and they are still committed to doing a medical use here and that's why we have designed it this way and expansion for other -- another use in the future as well. We are -- I don't want to fall back on this, but I do. We -- we did bring this project to you before. This is consistent with the development agreement that was modified and as a condition of that we were required to do a conditional use permit for the residential and be a little bit more clear on how all these pieces are going together and we are bringing that to you today and asking for your affirmation and approval of the conditional use permit, as well as the preliminary and final plat and I stand for any questions that you might have.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Actually, I would like to hear from our Fire Department, who typically prefers to have two accesses. If ACHD were to have not required the private access to Woodburn, where would be that secondary fire access?

Bongiorno: Mr. Mayor and City Council, Council Woman Perreault, in this particular case the secondary access is not required by the fire code. But I guess as I have been stating for the seven years that I have been sitting here, more access is better, because we never know what we are going to get. So, if that access off Venable is there and we do have cross-access -- excuse me -- cross-access over to Wood Rose, that's good, but that access up north is better. I mean we could -- we can work together with Brighton

and, you know, will look at maybe some traffic calming scenarios, you know, speed cushions or whatever ACHD is calling them nowadays. They go between speed humps and speed cushions and, you know, put something at the entrance there -- into there and that's going to, you know, maybe lessen the likelihood of people wanting to cut through if they always have to go over the speed bumps to get -- speed humps to get through there. But by fire code it's not required.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. I have a couple of questions. Thanks for the information. I appreciate your refreshing our memory about a cross-access with Wood Rose. You know, I do think that's very positive for the future eventually when that's built, that will help with the whole area's access to Ustick and it will definitely improve the situation. Have you put some thought around working with ACHD to keep your drive aisle open that accesses Ustick? You know, is that something that you have explored? I don't know how that would work with the commercial component of your project, so that's maybe something for you to comment on. But you did sort of leave that trail of bread crumbs out there.

Wardle: Mr. Mayor, Council Member Strader, it's a good question. One of the -- one of the conditions, as this came back through with the revision, was that that access that is shown -- and it's faint here, but it's shown right there, there was a driveway -- that that driveway would be closed. As you can tell the way that this project has been laid out is there is a building that's there, but not only is there a building there, we have taken an opportunity to take, you know, the entrance and push it to the north and parking behind, instead of that being a driveway into a parking lot. So, some trade-offs here; right? So, as it exists today, no, we can't maintain that and keep that open and when it was made a condition from them and -- and there was not going to be another access point available to us, but we go cross-access, we didn't pursue it any further, because we knew it wasn't -- wasn't a possibility.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I wasn't referring to keeping that open on a permanent basis by any means, but more, you know, if that -- if -- if there was a -- a possibility of that being an interim solution. Yeah. Maybe bridging the timeline from when the townhomes are built, depending on the timing of your commercial user and the timing of when this intersection would be built out.

Wardle: Mr. Mayor, Council Member Strader, honestly I don't see that would end up being -- at that location would be an interim solution, because at some point St. Luke's will come forward. It -- it won't function for what they want to do. I would say that when

their project comes forward and they do their parking lot, which would be all of this at one point, hopefully at that point Wood Rose is also moved forward and we can make that connection at one time so those things can be complete. But I just really don't see that we would create an interim solution coming through this to Ustick. It just does not seem feasible.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I mean the -- the good news is -- I mean at least from what we understood about the original timeline for the Wood Rose Apartments, it's not like years into the future. It sounded like it was pretty imminent. But things can change. You know, what -- what are you hoping to accomplish tonight? Are you going to try to push forward? Do you want us to go ahead and vote on it up or down? Are you willing to take a beat and try to work with the ACHD to, you know, kind of come back with more detail around what you can do at the intersection with Venable and the possibility of putting in some speed bumps up into the subdivision to the north. You know, what -- what sort of tactic do you want to do tonight? I will tell you where I'm at. I'm just one person. I could be totally out voted. I would like to take a beat and have you work with ACHD a little more to come up with a plan that I think could get everybody comfortable.

Wardle: Mr. Mayor, Council Woman Strader, I appreciate the -- the candor and where -- where you are on that and there -- there, obviously, is an opportunity to ask that question of ACHD and see. I think their -- we are happy to have that conversation. We are committed to doing what needs to be done. But at the same time we do need to work within that agency's purview and they may determine that the solution that is showed right now with this project, until the signal comes in, is what they -- what they would recommend. They have seen this, this intersection as it's shown currently. They have reviewed it from the context with the improvements that have been made and I know that they have -- I don't -- can't tell you for sure if those plans have been stamped for the improvements thus far, but we are close for Venable with the sidewalk and storm drainage and curb-gutter and the roadway improvements here. I -- I guess what our hope would be that there would be a -- an approval granted with the caveat that we go and talk with ACHD and if we can address that at time of CZC we will. Ultimately we are at their -- their decision on this, so --

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. Mr. Wardle, what -- what is your timing for this project? I know that commercial will be different based on whatever St. Luke's decides to do, but for the housing, which is in demand, although the -- the interest rate fluctuations, but what -- what do you -- what are you looking at right now timing?

Wardle: Mr. Mayor, Council Member Hoaglund -- Council President Hoaglund, you know, our timing is -- we -- we do deal with weather here and so we are kind of at that interesting point that without an approval now, then, it -- the project just kind of sits for another year. Another season. So, our hope is that we can get the preliminary and final plat approved. We do have some site improvements we want to make for the residential piece before the winter happens and so that's our goal. That's why we -- you know, that's why the preliminary and final plat is before you as well.

Hoaglund: Mr. Mayor, follow up?

Simison: Councilman Hoaglund.

Hoaglund: So, what I hear you, Mr. Wardle, is that there is not going to be people moving into the houses next spring, in other words. It --

Wardle: Mr. Mayor. Best case is we would be starting construction of homes next spring for move in -- maybe, if we are lucky, at this time next year, but probably later in the summer.

Hoaglund: Okay. And -- and if you allow me, Mr. Mayor and -- and Mr. Wardle, I want to make an advertisement for ACHD. I don't know if folks are aware, but they are having people comment -- they held a big public hearing I think the end of July. But on their integrated five year work plan through August 14th -- so, you can go on to achdidaho.org and look for the integrated five year work plan. They want people's comments. So, I have gone on and was looking at this. For Venable they have a gray line and it says FUT, which means future. So, you can see projects '23, '24, '25, '26, '27 and, then, you have got future. So, we often make comments as a Council and we meet with ACHD and we give them our priority projects and this is one I think we can talk to them about when that time rolls around again of what is a priority project within our city. Well, right at Venable might be one of those projects. But we have a lot of projects. We probably have a top 20 and we are always trying to shift and figure out what those are. But if -- if you would go on and comment about what you want to see at Venable and Ustick they are listening to people right now. So, that's really critical for you to respond, since this is our listening period, they want to know, because, then, they will make the plans and, then, move forward and make some adjustments. So, you talk about you have a need -- whether this project goes forward or not, you still want a light. So, I think that would be something for you to take action on with all the -- all your neighbors in the neighborhood, so -- so, thank you for indulging me on that advertisement for ACHD in the public comment period, because I think that is important, because they do look for that -- that public comment and we can certainly chime in when we sit down with ACHD about Venable as well. So, that's -- that's critical.

Simison: And I don't know if this is for Caleb or Bill or maybe nobody, but, you know, traditionally ACHD -- you have to generate the traffic before they do the light. Is this a different situation? Have they already determined that the traffic -- in case that -- they really don't care how busy Ustick is -- and now just being honest. They only care how

busy Venable gets before they will consider a light. We just had that conversation right here on Broadway that you have got to generate traffic. It doesn't matter how hard it is or dangerous a turn is generally, but do we know if Venable has been approved at this point in time or will they still have to meet a threshold?

Hood: So, Mr. Mayor, I don't know. I was going to answer the question and, then, the -- the last part of that. So, I don't know what has recently gone on. But to your previous comments and question, there are warrants that have to be met and the north and the south leg warrants I will have to assume have not been met as of the last time I looked at the intersection for being the warrants to -- to provide a full signal here. I will say just briefly while -- while -- while I'm here, I did e-mail Kristy Inselman. She actually e-mailed me -- in all fairness she e-mailed me yesterday asking if she needed to be here. I was out of the office yesterday. I told her -- I said, hey, default would be please attend these and if you hear from me that you don't need to be there, then, please -- and you can have the night off, but -- so, that's on me a little bit there. I was out of the office yesterday when she asked if she needed to be here, so I do apologize that you can't hear directly from ACHD or some defense or explanation of some of these questions that you have this evening.

Simison: Thank you. Additional questions, comments for the applicant?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Question for legal. I -- I get where you are coming from and I think you totally get where we are coming from on this Venable Lane issue and just trying to be as proactive as we can to address what I think we all see as -- one of the challenges that is a little bit beyond merely moving cars and -- and matrix and -- and -- and levels of service trying to hit a safety element and the question that I had for Mr. Nary is it's a conditional use permit. We can place conditions upon it and -- and the context of the history is really important here as to what we have already committed to as a city. But is it -- is it too disconnected to have conditions related to lanes on Venable Lane to Ustick as a condition of the CUP, which seems a bit -- almost a stretch a little bit.

Nary: Mr. Mayor, Members of the Council, yeah, I think it is a little bit of a stretch. First, I don't know if the developer currently owns that other piece still. Do you still own that section? So -- so, they don't even own that section of the property, so they can ask and I'm sure their adjacent property is -- would be willing to allow them to build it, but I think putting it as a condition is -- that why I think Mr. Wardle suggest that -- strongly encouraged Council ask -- Council would like to see something to that effect, but that doesn't hold up the -- the project from being able to move forward.

Borton: Thanks. Perfect.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: And to that point from staff's perspective if you could explain how that would work. You mentioned about going into this CZC process and having that issue explored and coming back. Can you kind of walk look us through what that would look like?

Parsons: Sure. Mayor, Members of the Council, Council President Hoaglund, like any situation right now the applicant wants some flexibility. So, this is getting them through the hearing process and, then, the next step is to go through site plan review with the city. We call it certificate of zoning compliance -- is our technical application name for it. But, essentially, we transmit applications to ACHD even at that level and they provide comments on it back to us as part of that. They may say our condition still stands under the approval of the conditional use permit or if there is that condition of approval that the applicant work with ACHD and city to possibly come up with a different configuration at the intersection. At least we have that condition and we will make sure that both agencies are on the stage -- or at least mitigate some of that concern and to the applicant's point it may just be we think we have it right this way, but if we leave the condition broad enough -- or at least your recommendation to work with ACHD, at least we know we have it on the record and, then, as part of our review of that certificate of zoning compliance we are looking for those improvements and making sure that ACHD captures that in their -- their approval back to us. So, we make sure nothing gets lost as it transitions to the permitting process with us.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: I want to say something I don't think's been said tonight. I like the project. I like the look of the units. They don't look like just your regular old apartments. These look really well designed. I appreciate that there is two car garages on each one and driveway space for extra cars. One of the first things I always worry about when I see something this -- this density on under five acres is are we going to have enough parking or are we going to be parking on the street. I don't see that issue here as I have in some other applications. So, I want to -- I want to commend you on the design that you have laid out for such a small area. Most of these concerns that have come through appear to be related to Venable Lane and traffic, which is kind of outside of your control. I think there has got to be some way that we can move forward, whether it's strongly encouraging ACHD to modify this roadway in some form sooner than later, so that you can have right and left out onto Ustick Road or at least -- and maybe both -- bring forward the need and the building of the intersection out to a full signal sooner than later, you know, but there is -- there is a whole bunch of intersections in the City of Meridian that need this sooner than later, not just Venable Lane. So, we feel your pain. We feel the pain of everybody who doesn't want to see this happen, but it's not lost on me that this application process for this use of land started 16 years ago and that the request to have it all be retail has failed multiple times and that this is the only product that's come forward and has already been approved by a previous Council in 2021. I

think this is the best mix for this location and we have to look at how best we can strongly encourage ACHD to try to fix this roadway sooner than later to make this work for not just your project, but for all the residential people that live to the north and even to the northwest of where your project's going in.

Wardle: Mr. Mayor, if I just might with that direction of strongly encourage, I can guarantee you that my first call tomorrow will be to ACHD to have the conversation. So, it's not just a -- another application down the road. We have -- we have been talking about this project for a while and there is actually two sets of plans. There is plans internal to the project and there is Venable. So, there is an opportunity to -- to make something here that would be better, even if it's an interim, on making the intersection wider now while we are still waiting for a signal to occur in the future.

Simison: It may be one of the things that I -- I'm wading into different waters, but related waters, but I think the 45 mile per hour on Ustick has been something that we have talked about of some concern. You know, they talk about other ways to work on the design elements of Ustick to have a different speed limit, but I think they even had conversation still for ACHD Transportation Commission, I don't really know where those stand, but this is one of the few parts of our city which is an ACHD roadway that's been improved five lanes where we have a 45 mile to my knowledge -- I thought this was 45 in this -- in this section of Ustick.

Hoaglund: Mr. Mayor? I -- since I live there and travel it it's 40 miles an hour. It's probably 45.

Simison: I pulled back then. I thought -- I thought we were 45 in this section, so -- okay I -- I stand corrected, but -- anyways.

Wardle: Thank you.

Hoaglund: Mr. Mayor, we forgive you, you're a southsider.

Simison: That's right. We -- we have 45 mile an hour in a street in the south with no sidewalks, one lane roads. The farm lane roads in the south are 45. That's where we roll.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Councilman Overton's comments are -- I think are well taken. The project -- we did skip some of that, which is the discussion of it really is an attractive project that's consistent with and -- and very well might exceed really what was hoped for and intended here. I do remember this. I was in the other building in '07. I was here in '21 and so I remember every stage of this and the struggles for decades to try and have this -- this mid mile commercial drive. So, I think it is a very attractive project. It's consistent

with the DA. I think the conditions from the staff report are all well taken as well. So, a lot of good work has gotten us to this point and I understand the strong encouragement and direction for this applicant to work with ACHD and address Venable Lane. There is opportunity at the CZC's point to incorporate some improvements. Absolutely want that -- that encouragement to be part of -- part of an approval if that were to proceed tonight. Councilman Cavener brought up the -- the open space and my thought was that, you know, it at least be fenced, if not relocated, and I think the applicant had referenced the willingness to address -- to do that at least to ensure, if it's not relocated into a safer location, that the fence seems be safer than a berm, you know, to have an assurance that youngsters can't wander off into -- on to Venable Lane. I thought that was a really good point that he made. So, both of those -- well, that would be more of a condition -- an absolute condition, fencing at least. And, then, the -- the encouragement to work with ACHD on the Venable Lane. So, I don't think there were any other loose ends, but I would be comfortable doing it to -- to approve the CUP application, preliminary and plat that's presented with those two additional elements incorporated.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: And I would -- the encouragement would not only be, you know, wider lanes for right and left turn movement, but the fact that they explore putting in a light as soon as possible. I mean that -- if they would do that right away that would be the best alternative. And -- and to Lieutenant Harper's comment about, you know, the dangers and whatnot, I know where we live we have the ability to -- with that -- vehicles in the left lane and I want to turn right, I can hang back and I have a line of sight. So, they can -- they pull up. So, we managed to figure it out there. I don't know if they have the same line of sight there. So, it -- it is -- could -- can be dangerous, but, fortunately, in our situation we have line of sight, so we can sit back, it's free and we can go and they can sit there and wait until that line gets cleared, so -- but, anyway, to the point that a light is probably the best option. So, I don't want to preclude that from being discussed for immediate approval.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just for discussion. I may be the odd one out on this one. So, to me the right course of action would be to continue the application and I think that I hear the applicant's point that they can't control ACHD. I have an ACHD report that, frankly, reads like we had a plan, our plan fell through, there is no need for the installation of that intersection on their work plan as of yet. I think it's a little bit giving false hope to kind of give an impression that that might happen in the near future. I should hope that it could, but it just -- knowing ACHD and how things happen with them, I would be very surprised if a -- if a roadway project could move from happening in the future to happening in the next five years. Where I do think we have an opportunity -- and I think

what the missing element is to me that we could take two weeks and the missing element is the city and I think that the city could help, you know, with that partnership with the applicant and ACHD to get a plan together to at least try to make sure that the, you know, left and right turning movements could happen at that intersection faster. I also think it would be great, you know, to try to work on at least some speed bumps or whatever they are calling them these days into the intersection to the north. So, that's my feeling is, you know, to take the advantage of the timing now -- or the application in front of us to try to make that happen. You know, I -- I believe that the developer will work on it. I just think that when we have the application is the right time for the city to step in. Thanks.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Maybe a question for my good colleague on the other side of the room. Would you anticipate that a continuance would result in a different decision from the Council?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I think what would happen as a result of that would be some pressure, because both the city and the applicant would be asking to have that conversation with ACHD. I actually think it would move that solution forward faster. That -- that may be that it's just me being hopeful, but I would hope we have a good enough relationship with ACHD that if the Mayor called or, you know, others call and say, hey, look, we really need you to take a look at this. City staff got on the horn, we could try to make this more of a priority to figure out a solution, so that when we are having a discussion with our citizens we can say, hey, you know, there is a plan here. But we don't control, you know, that agency.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Part of our Council's brand is really encourage our governmental collaboration. I don't think it's going to change my mind. I'm in support of the request. But if we -- we think that by encouraging good collaboration with some of our ACHD colleagues would accelerate or open the door -- I think the other piece, though, that is really important is for our body is when we review the integrated five year plan and we have an opportunity to weigh in on accelerating projects, as we have done that we keep this lit intersection top of mind in our conversation and maybe just ask Caleb to pass along some of that feedback to the Transportation Commission as they look to explore this as well.

Simison: The -- the one just -- you know, want to -- I don't know that I or any of you should be picking up the phone calling ACHD. Maybe I'm wrong. Is that -- I'm looking to legal in terms of -- I mean staff level communication, but should we be reaching out at this point in time?

Nary: I guess, Mr. Mayor, Members of the Council, it sort of depends. If -- if you are going to continue it I would suggest you not do that, because you can't go gather your own information for a future hearing. But if you ask staff to do that, to reach out -- again, I would -- I -- I understand what -- where the concerns are. The -- the concern I have from a legal standpoint is conditioning that as a requirement when it's property they don't own. They don't have any ability to do that. They will likely have the ability to do it, but, technically, legally, they have no ability to do anything with that infrastructure, because it's not part of this project and it's not part of this plat. So, to, then, require that that be a condition of the CUP to add it to the plat when it's not their property anymore, is a little more troubling to me. It's the concern. I don't know what ACHD is saying. I think the Mayor hit it on the head earlier. ACHD has a formulaic method on when they decide the warrants exist for road improvements. All the desire in the world doesn't change their formula. So, I -- I don't know legally if that's really the right pathway that I could suggest you go down, so --

Simison: And for Council's -- I do have a letter in my inbox to ACHD on the five year work plan based on the results of the changes that were made. This is not in the letter. I will tell you that at that point in time. It doesn't mean I can't add something to say please go re-look at this intersection in that regards, but that will be a letter that will be sent to ACHD in the next week one way or the other on things.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: With the -- the input from our city attorney I don't think it's fair at this point to hold the applicant up for something that is outside of their control. I think we have a great staff and a great relationship with ACHD. The curb, gutter and sidewalk on Venable Lane is not installed yet. It's the perfect opportunity between now and when this gets built if they need to make a modification to a roadway before construction is started, so I think we owe it to the applicant tonight to vote on this, whether it's voted up or voted down.

Nary: Mr. Mayor?

Simison: I was going to say I think history has proven if there is one partner in this community when it comes to road projects it's Brighton and if there is a -- a willingness and a way they will make it happen. If they can't do it, quite frankly, no one can. I think that their relationship with ACHD I would say is stronger than the city's in their building, because they have put up more money and built more roads in Meridian than -- than we ever have as a city or a community. So, to me it's in the right hands of people to get -- I

think they have heard from that standpoint. It's just what can they effectuate in that process. I have said my two cents.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I move we close the public hearing on H-2023-0021.

Cavener: Second.

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

MOTION CARRIED: AL AYES.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Starting with where you left off, I think that's a huge factor and it's one of the elements that makes our big growing city still feel small is when you know the developers that are before you and their reputation and not everybody has, you know, the same history and experience with our community, so we are blessed to -- to still know the folks that come and care about what happens in the city and -- and how things get done and they say they might make a call tomorrow morning, pretty certain Jon literally calls tomorrow morning. I take you at your word. Your word is good. We have seen your work for a long time. That matters. In this context when we might be legally prohibited in conditioning a CUP that requires it, I think when we say we strongly encourage to work with our city staff and ACHD to address the concerns raised tonight about Venable Lane, the ones that the citizens also echoed -- I know our staff takes it very seriously and I know you do, too, so that is part of what will be my motion to approve this CUP. From 15, 16 years ago, right, in the mixed-use community property, zoned C-C, the DA allows and contemplated from a couple years ago 57 residential units here. It's what we have been presented and we have a really good user directly to the south hopefully to follow soon. So, we really are following suit with what's been intended. So, the applicant's done what they have been asked to do and -- and to the design elements of this application and the conditions that they have met, I think our staff has done a really good job in working with the applicant to ensure this appears to be a top rate project. So, based upon that I'm going to make a motion that we approve H-2023-0021, the CUP and the preliminary and final plat, as presented in the staff report of August 8th, 2023, to include the conditions -- additional conditions presented in tonight's hearing with regards to the collaboration with ACHD and Venable Lane and with regards to the fencing, if not relocation of the -- of the tot lot that Councilman Cavener had raised to be included as additional conditions.

Overton: Second.

Simison: I have a motion and a second. Do I have discussion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Just a quick question for Councilman Borton. If I'm -- if I'm hearing the motion correctly there is, obviously, not a requirement on the applicant to have a certain result from ACHD, just a request that they pursue it. So, in other words, you are moving to approve this even if there are no changes to the -- there -- there is no result in changes to the intersection.

Borton: Right.

Perreault: I just wanted to make sure I understood that. Okay.

Simison: Are there further discussion on the motion?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. Just appreciate neighbors coming out and testifying. Understand your concern. I understand it, since I live a mile to the west off of Ustick Road and it collects 900 homes to that -- that one of the ways you go out is -- is Ustick. So, understand that traffic impact. At the same time we -- we have to follow state land use planning laws and all bare land that you see in our community has a plan and there is housing or there is commercial or there is -- there is something in its place that we have to have a very very good reason when a developer comes forward to not do that when it meets the plan. For us to turn it down there has to be very strong legal arguments to make that case. Otherwise we run afoul of the state law and they have some recourse that they can do. We do want a variety of housing. I know one of the comments was about, you know, it's -- it's townhomes, which are very desirable in our community right now, that there are -- there is something that we don't have many of. There was -- there was a comment about good renters and bad renters and you can say the same thing about living in a subdivision, it's mostly single family homes, we have good owners and bad owners. You know, same thing. But it really comes down to good landlords and bad landlords, because we have a house just a few doors down that -- out-of-state owners and they rent it out and you got ten kids renting rooms in that house with as many vehicles and whatnot. So, just being -- you know, that -- the fact that they are townhomes doesn't necessarily mean they are going to be bad or whatnot, because one of the things you have to consider is the fact who is the owners? You have got local owners, you have got people who have an investment and they want a return on that investment and that's the biggest thing. It's not an out-of-state person who buys this

home, they are going to rent it out for a period of time, see property values appreciate and, then, they are going to flip the house and they don't care what happens to the property in the meantime. Here you have got people who are holding it long term and they want to have that return, so they want that property well cared for and that's a bonus to you, because that protects your properties, because you are going to have well maintained rental units and not going to be run down like you can have in a -- in a single family home subdivision in this -- in this case that we deal with this one home. So, it -- it's -- it's -- you know, I understand the implications that it can have on traffic. I think you heard the arguments of what we are trying to fix and have addressed. I do encourage you to contact ACHD and -- and comment. You have until the 14th for their five year plan. You can play around in there and find it -- where Venable is, but talk about that intersection of what you want to see done and get your neighbors to do that as well, because that's -- that's very important to -- to have that voice in the conversation. So, I appreciate that and I do support the motion. You know, I understand Council Woman Strader's desire to -- to wait and try to work it out, but as -- as -- as Council had said it -- it's problematic and it's -- we are asking them to do something on property that they don't own. So, as -- as Mayor Simison said we are -- we are dealing with someone, though, who in the past has shown that whatever they say they will do and I know that they will give their best effort to try to make something work and make an improvement there. So, that's the -- that's the best we can do. We want to do it right. We want to do what everyone wants, but sometimes we just have to go as far as we can and say that's the best we can do and this is the case here.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: You know, just to explain where I'm coming from; right? And understanding we don't control everything and understanding that it's tough for people to have conversations and an application before us and -- and so forth, but I would just like to see us try to work on these a little bit more to -- to get a solution around the concerns prior to approving it and, you know, I -- I wasn't suggesting a denial, I was just suggesting a continuance. I -- I just wanted to make sure that's clear for people. It's not a matter of lack of trust, it's just a matter of, you know, trying to -- trying to bring forward a solution faster. That's how I was trying to accomplish that and I think when we put pressure and help bring city staff and -- and really make it a priority, whether it, you know, happens afterward or happens ahead of time, I think it -- it's helpful. I just think, you know, again, by approving it there is -- there is no guarantee that anything is going to happen and that's where I'm kind of struggling a little bit. If we have a little leverage now, but, you know, I respect everybody's opinion on it and just a little different for me. Thanks.

Simison: Council, any additional comments?

Cavener: Call the question.

Simison: The question has been called. Clerk will call the roll.

Roll Call: Hoaglund, yea; Borton, yea; Cavener, yea; Perreault, yea; Strader, nay; Overton, yea.

Simison: Five ayes. One nay. And the item is agreed to.

MOTION CARRIED: FIVE AYES. ONE NAY.

Simison: With that, Council, let's go ahead and take a 20 minute break and so it will be about 8:25 before we pick it up again.

(Recess: 8:05 p.m. to 8:25 p.m.)

7. Public Hearing for 2023 UDC Text Amendment (ZOA-2023-0001) by City of Meridian Planning Division

- A. Request: UDC Text Amendment to amend certain regulations in Chapters 2-5 of the Unified Development Code (UDC)

Simison: All right. Council, we will go and come back from recess and we will move to the next item, which is public hearing for 2023 UDC Text Amendment ZOA-2023-0001. We will open this public hearing with staff comments.

Parsons: Thank you, Mayor, Members of the Council. So, I'm here tonight to present to you the first round of UDC changes for this year. A couple housekeeping items I wanted to just clarify on the record. Had a chance to look at the public record -- public comments for this application and did note that there was a discrepancy with some of the UDC sections. Originally in the paper we -- I would say I had -- we had noticed the content for tonight's hearing to include Chapters 2 through 5 of the UDC and there is actually one additional change to some of the sections in Chapter 6, but I did have a chance to work with the attorney's office, they said we were okay to move forward with that scrivener's error, so I just at least want to go on the record and let Melissa out there know that we did get her comments and that we are getting that corrected and I'm going on the record to clarify that that was an error and we will be talking about code changes from Chapters 2 -- Chapters 2 through Chapter 6. Also as part of that public testimony she had conveyed her concerns with -- or at least wanting some more transparency as to who was on the UDC focus group and she also has some questions around the process of that. So, as you all know historically we have been doing this for many years together and a few years ago this body asked staff to put together a UDC focus group. Now, it's not a formal group, like -- like the Historic Preservation Commission or Planning and Zoning Commission. It's not appointed by Mayor or City Council, it's just a group of design professionals, citizens, city staff to get together and make sure that we have a -- a broad range of talent to talk about future code changes. So, on this particular first graphic for you here, before I get into my presentation with UDC changes, I at least wanted to be transparent on the record tonight that currently these are the

acting members on the UDC focus group, so that those who want more information about it know who are on it and -- and -- and what we do and how we do it. So, essentially, we track the changes throughout the year. Usually our -- if we do more than one round the first round is typically more clean-up items and, then, if there is phase two or a phase three throughout the year those are usually a heavier lift and -- and more involvement, but this -- again, the purpose of tonight's discussion is really to talk about -- the majority of it is clean-up items with a few new items that I want to bring to your attention. So, as I move into my presentation feel free to interject or ask questions throughout. You know this a free flow conversation.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just regarding the UDC focus group, I'm not sure if that is accurate. I think it would make sense for us to circle back with the members of the UDC focus group and make sure that all of them still consider themselves members. I had a conversation with at least one individual on this who said that she had resigned from this group. Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I guess if we are at least starting here, Bill, I -- I know some of these names and -- and certainly there is some city staff that are on here and some folks from the building development world that we see on a fairly regular basis. How many members that are currently on the UDC focus group are not associated with building and development?

Parsons: Mayor, Members of the Council, the -- well, Lacy is part of code enforcement, but she is city staff and, then, we have a real estate -- Steve I don't think is part of that, but he's still part of the real estate world. And, then, we have Annette Alonso, who was part of that Southern Rim Coalition and if I'm not mistaken I believe that's who you were referring to. I know last invite that invited her she declined the meeting, but did not say that she was resigning from it. So, if that is the case we can certainly -- if someone else wants to participate or is willing to do that I would encourage them to e-mail me and let me know that and I'm certainly happy to extend that invite to any other citizen out there that wants to be part of the group.

Cavener: So, Bill, I'm going to -- if -- Mr. Mayor, sorry.

Simison: Councilman Cavener.

Cavener: I will just provide I think some -- some feedback there for -- for you and the department I think to be proactive in engaging the public around in this. I have gotten

feedback I think from every, quote, unquote, citizen that has served on this committee in one form or another and they have -- it has not been a positive experience for them, which is why they have not stayed on and participate. I think that there is real value that comes with industry professionals in collaborating and engage with citizens who are uninformed. I learned so much when I was new to the City Council. But it takes I think that extra step of really guiding them -- which is I think the community development does a really good job of. I'm just really kind of asking and encouraging to be more proactive in how we bring people on and how we can educate them. They are not subject matter experts and there is value in that representing Main Street and I just think that we need to do maybe a little bit better job of providing that perspective to this focus group, because I take the feedback from this group with a lot of confidence and I want to have a good understanding that it's -- it's well represented by both industry and lay people.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I -- I think it's important to have these conversations very openly. I have received similar feedback and I do know that, you know, when occasionally we have had a private citizen serve on this committee sometimes they feel that they are outnumbered or they feel like their voice doesn't carry enough weight and I hate to hear that. I almost wonder if a -- you know, a -- you know, some kind of a subcommittee makes sense that would sort of more represent interested neighborhood groups and that might allow for people to feel like they are not just, you know, one or two people in a group of 20 people that all think the same way. It's -- I know it's really hard if you are in a group and everyone is, you know, invested in some kind of subject matter and you feel like you are representing a different viewpoint, but you are just one individual. So, I think we should get more creative about, you know, maybe a way to solve for that and -- and help people feel more comfortable to get involved in this. Thanks.

Simison: I have some suggestions, but we will save those for another day.

Parsons: Thank you, Mayor, Members of the Council. I appreciate the feedback before I get into the presentation, because it's good to hear that. As -- as I always communicate with the -- the Mayor and the Council during this type -- the public hearing process, not all of these changes are one hundred percent supported by any one member on this group. It does -- it is collaboration. It is a consensus. We are getting to a point where we are coming to terms that we can all live with, but maybe not agree with one hundred percent. So, I don't ever want to misrepresent that at the public hearing that everyone is one hundred percent on board with these changes, because the city has hired community development -- or me specifically, since I -- I work on this task force -- to make sure that we are doing what's in the best interest for the city as well. So, I have to take it from that perspective, not looking at it from a small aspect. I have to look at a broad -- the broad term of changes, not the narrow focus that to your point you may get sometimes with people that come in and serve on this committee. But I will

take that to heart and Caleb and I can certainly have some conversation around that and see how we can maybe either reach out to the group and see if they want to relieve themselves and maybe get some new fresh blood on -- on the -- the committee. I will mention to you when we initially started this group this was the list of names that I was asked to put on the list, so it -- and, certainly, I think as we evolve as a city we certainly want to keep that list fresh and up to date and current and keeping people rotated in and out. I think it makes some sense for sure. So, with that I will go ahead and move into some of the changes tonight. So, this first item here is -- actually came to me from a request from a citizen who lived in an R-2 property and she had run a daycare for many years on her property and last year she came to us and asked how can -- she -- she wanted the city to sign off on her daycare license with the state and we told her we couldn't, because we can't -- that -- the R-2 zone did not allow for an accessory use daycare and that I told her that we would go ahead and make the code change once we opened it up for the next round and that's what I did. So, basically, we wanted to save the resident money from moving forward on her own when we knew we were coming forward with some code changes. So, we went ahead and added this as part of this round and, like I said, not many other UDC focus group members. It really doesn't impact the way they do business. So, everyone is typically on board with this proposed change. Probably the -- the bigger one that you are all aware of that you have acted on the last couple times is really the height standards in our code and some -- our Planning and Zoning Commission have, you know, struggled with some of this as well. But -- but as city staff we do recognize that sometimes height is not necessarily a bad thing when it's done in the right location and it's within the right context of a development and it integrates well with the surrounding development. So, this -- this standard that I'm proposing this evening is really kind of staff's step one phase they are trying. You know, we don't want to move the needle too much, but we understand when we look at some of the development happening in the city we are seeing those height increases happening more and more along the I-84 corridor and so this is one way where we thought we could probably maybe minimize some of the CUP exposure and -- and try to make things a little bit easier for all of us and so number F is actually a new item and it does allow an applicant to go up to a hundred feet within a certain commercial district and as long as they are within 750 feet of the I-84 right of way and I do appreciate Council Members reaching out to me and asking me for a graphic to show you how -- how that would look and how -- how many properties it would impact. So, I can't take credit for the graphic, I have to give that credit to Brian in our office. But we went -- we took it one step further and actually decided we would add it as a figure in our code to go along with the text. So, anyone that looks at that code section would correlate that to a graphic. So, any -- any questions or comments on that proposed language?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I read this -- the -- the 700 -- 750 feet requirement from I-84, that's not limited just to the H-E zoned properties; correct?

Parsons: That is correct.

Borton: So, not to nerd out a little bit, but I don't want it to be read like it's a hundred feet in, you know, the C-C, C-G, M-E and the H-E if within 750 feet. So, is it more accurate to say a maximum building height of one hundred feet shall be allowed in properties within 750 feet of I-84 in the following zones, C-C C-G, M-E and H-E. Seven hundred and fifty feet applies to all four of those; right?

Parsons: That would be correct.

Borton: Okay.

Strader: Mr. Mayor?

Borton: That's what is intended.

Simison: Council Woman Strader.

Strader: Yeah. I just -- my concern is a fire department concern, which I'm sure everyone anticipated, because I keep asking about this same thing every time we get a really tall building. How many stories is a hundred feet? How far up can the ladder truck -- truck go? Can you fight a fire in a building that's that high? And have we created standards around, you know, taller buildings, working with planning and the fire department, so that we feel comfortable that if there is an emergency we handle fighting a fire in a building that's that tall.

Bongiorno: Mr. Mayor, Council Woman Strader, the answer to your question is roughly our ladder truck will go about 85 feet. Again, it depends on how far back from the building it is. As far as, you know, the -- the height requirements as we have explained as -- as I have talked about in the past what -- what protects us and what protects the occupants is the fire code, the building code. So, the fire code and the building code as the buildings -- as the -- excuse me. As the building gets taller the code become more strict because of that. So, people and our firefighters are protected by the fire and the building code. So, again, when you get to that 75 foot level, if there is an area that is occupied above 75 feet now it's considered a high rise and you have additional code requirements that kick in when you hit that magic 75 feet. So, the building code and the fire code will help protect us with that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. And -- and do you -- understood. So, you are not going to see something stick built above that level; right? So, hopefully, we will be talking about steel and concrete. I get that. I used to live in New York. So, I understand the concept. But do you feel -- you know, maybe you are the wrong person to answer, but -- frankly

maybe it should be Chief Blume, but do you feel like you are resourced appropriately? And the reason I'm asking is if we -- if we would make this change, okay, then, guess what, green light, right? Anybody that wants to build a building a hundred feet will be allowed to do that in this area and so it's like I hope that there has been a lot of conversations between these -- the two departments to really talk about, you know -- and if you don't feel comfortable answering you could say I need to get back to you. I don't want to -- I don't want to put you uniquely on this spot. You have the luck of sitting there tonight.

Bongiorno: So, Mr. Mayor and Council Woman Strader, I have been with the department 20 years. I'm very comfortable in my thoughts and working with the multiple chiefs that I have worked with. So, as far as ladder truck standards go, a hundred foot is kind of the standard out there. So, resource wise I think we are good. And, then, as we are developing and getting into the codes, that's where like the fire system came in that we are now requiring. As a matter of fact, I believe the building over by Top Golf, we are having a training on August 24th that will be the first building to become active that has a fire system in it. So, we -- we have those fire code and building code things that will help with this. A hundred percent comfortable with it, because the fire code and the building code cover that and we will be good and for your information, the 2021 fire code does allow for -- I believe it's 14 stories of large timber construction. So, you may see a wood framed building that is 14 stories tall.

Simison: And large timber, does that constitute six by eight --

Bongiorno: It's going to be big -- big stuff.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: And appreciate Council Woman Strader's question, because that was the same I was going to pose, so I'm glad that we had that discussion. I didn't quite hear Councilman Borton's question, so I apologize if this is a repeat, but on your map where it has the dotted orange areas that show the parcels, I'm assuming that that building still has to be within the blue area. It's not that the parcel is within that, it's that no matter how large the parcel is the structure would have to exist in the blue area; correct?

Parsons: Yeah. Mayor, Members of the Council, Council Woman Perreault, that was the intent. We just left the parcel down there just so that you could see the affected properties more as part of the graphic. But Caleb and I were just talking we would have to finesse that a little bit, because the -- the reality is some of these parcels could subdivide in the future. So, that configuration of that property will change in the future. So, there is no way to have a graphic to capture all of those things as quickly as we are growing here. So, we recognize that we just need very simple graphic that shows that 750 foot buffer and you fall within it and you can take advantage of the taller height.

Strader: Okay.

Parsons: Next code change. Again, I don't know if I need to go all of these word for -- line by line with you, but a lot of these -- again, a lot of these code changes were added through legal and at the request of legal on some of the items they have been tackling the last year or so. So, this is one where you guys get a lot of requests for access to roadway, streets, cross-access and certainly we want to make it clear that we really want cross-access to be granted with a note on a plat versus a set recorded document and this also goes along with that common driveway standard at the end of the graphic here that I will be sharing with you. So, both of this language does mirror up identically in code, that -- if it's a common driveway we want the same thing, we want it to either be dedicated as -- on the plat and that way anyone that buys the property or owns it is clear as to what the expectation is and they get to that information. But it's not always -- there is -- there may be instances where property may not be required to be subdivided and/or -- or would be a different step in the process where a cross-access would be triggered where it would not require it to be again subdivided. So, for example, if someone had -- came in with a certificate of zoning compliance, we can't make them put a note on the plat for an easement, so they would have to give us that recorded document at some point. But it's just, again, to clarify and -- and make it align with state statute a little bit better based on recommendations from legal. Next item was prohibited signage and that's why you have code enforcement in the audience, because they are stuck enforcing the code and this one was working closely with legal and I can tell you in looking at the Commission recs you probably could tell that the Planning and Zoning Commission stayed on this topic quite a bit, but, again, I -- I did confer -- confirm with legal this after -- or this morning that, you know, they feel like they are on solid ground with these proposed changes. But, again, I don't have any other context that, again, that we are trying to stop illegal activity from being advertised here in the City of Meridian and I -- and if this Council remembers I believe there is two properties in the City of Meridian that have billboards. One will be required to remove them at some -- a certain date and one will have it for a while depending on whenever that lease ends, but that's -- that's -- again, this is -- this is an effort to align with code and help them.

Simison: And not to take anything away from Mr. Nary, but Ms. Kane is also online who was the author of many of these elements as well.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Question for Mr. Nary, Mr. Parsons or Ms. Kane, whoever wants to chime in. Who ultimately do we enforce this with? The property owner? The billboard owner? The advertiser?

Nary: Mr. Mayor, Members of the Council, Council Member Cavener, we would have to start with the property owner -- or the owner of the billboard. So, the billboard company, because it's their billboard that they are putting the advertising on.

Cavener: Okay.

Nary: Because they are the ones that have the power to take it down.

Cavener: Okay.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: I'm very happy to see this change to this code. We are surrounded by state sponsored drug sales that are illegal in our state and I think it's ridiculous that we have a code currently that we can't enforce when they advertise right in our own communities and it makes me very happy to see that we are going to put our foot down and try to adhere to the goals and objectives to protect our youth, our families, by a simple change like this and keep these signs out of our city.

Harper: Mayor and Members of the Council?

Simison: Lieutenant.

Harper: I would also like to share that MADDC was not directly involved in the changes, but in support of this due to our prevention efforts. Obviously, with us being surrounded by all the states that have legalized quite a bit of things and so Kendall Nagy is here as well to answer any questions if needed or where MADDC stands with this change.

Parsons: Okay. Next item is multi-family parking. It's essentially just aligning the parking lot standards for multi-family projects to align with the commercial standards. If you look at the -- the changes here you can see that, actually, in multi-family projects when there was a carport -- parking stall it was meant to be measured ten by 12 and historically we have not approved multi-family developments with that parking dimension. We have always applied the commercial standards, so this really is a clean-up coming from community development staff to make sure that we are lining up our multi-families with our parking standards and our commercial districts. But we are keeping the garage dimension the same, because that is consistent with our single family dwelling units that we have -- our parking standards for single family housing. So, more of a clean-up on this one to align. The next item has to do with outdoor lighting. The city has a particular vendor in the community where we have received quite a few complaints dealing with that, with the Mayor's Office, and so based on my collaboration in trying to resolve that particular issue, there may be instances where a certain lighting is needed in order for a business to operate a certain way and so our -- our code may not align with that -- that objective. Currently we do allow that through alternative compliance, but because of the magnitude that this rose to we felt very confident or strongly that if we are going through a public hearing and if a project does have any lighted ball fields that we really should daylight that or outdoor lighting -- at least have that as part of that CUP process. So, at least we have it on the record that

whatever -- for whatever reason whatever changes or whatever lighting modification was approved it was part of that CUP process. So, that we can enforce that and at least share that with the residents that live in that particular project. I think it's pretty typical what we do for -- I will give you an example for high schools, if they have any outdoor speakers we require them to go through a conditional use process just to kind of share that with the community, so they know there is going to be some kind of nuisance associated with Friday night football games. And so, again, you can -- you can see it kind of -- that's the premise behind this particular code change is that we daylight it through 500 foot radius. People have an opportunity to voice their concerns. The applicant or developer will have the ability to provide photometric testing, a little more robust testing for the lighting and lighting specs for us to analyze and look at that as part of the CUP process and hopefully we can have a very -- very clear record on what was approved for that particular project. Any questions on that proposed change? Drinking establishments. This is a new change, too, as well. It recently came to our attention that we don't allow drinking establishments within 300 feet of a church or -- or a school. There is no prohibition in state law to this particular requirement. It's something that we had in our code for many years and so as we continue to grow we are starting to see more and more businesses in our downtown area that are starting to encroach on some of these uses -- or even in our commercial districts and so we thought that it seemed a little onerous, so we definitely wanted to change that. Still require a CUP, but, again, it would -- now that's not to say -- it's not prohibited, it just requires that CUP process in order to get reviewed and approved and as this body knows is if this type of use is within 300 feet of a school or church, then, you also have to approve the beer or wine license or the liquor license because of the state regulation. So, it's just mirroring up with that particular process and daylighting that, making sure that state law is aligning with -- with our city code.

Cavener: Bill -- Mr. Mayor. Sorry.

Simison: Councilman Cavener.

Cavener: Maybe this is probably for Mr. Nary. Item C, drinking establishment should not be located within one thousand feet of an adult entertainment establishment. Why a thousand feet and why can't we make it more?

Nary: Mr. Mayor, Members of the Council, the -- there is no particular case law standard. So, a court is always going to look at reasonableness. So, 300 feet certainly it could be argued reasonable. The ones I have seen have gone to a thousand, because that tends to push them out of most industrial areas and a CUP is required as well. It's -- it really is just a -- the best case we can see as to what a court might do as to what's reasonable. You made it a mile or two miles or whatever a court might think that was a little onerous. So, a thousand feet seems like a fair number. Other cities have used that number for the same purpose, but certainly it -- it could be more, I just -- I couldn't tell you if 1,500 would also be okay or 2,000 would be okay. I -- I don't know.

Cavener: Okay.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Bill, can you elaborate on the definition of residential district? So, I'm assuming that if the property was originally -- it's multi-family and it was originally in a commercial zone let's say, that's not qualified as residential district or -- and how -- how is that -- can you help us understand what constitutes residential district? Because, obviously, our residences are coming in more different shapes and sizes now.

Parsons: So, Mayor, Members of the Council, Council Woman Perreault, in our code a residential district are the R-2, R-4, R-8, R-15, R-40 zones. So, it's not necessarily a residential use, that's why it says district. So, if this was to come into Old Town, for example, and there was a residential use, but they were zoned Old Town, we would say it doesn't apply, because it's not zoned a residential district. It's zoned Old Town, which is a Traditional Neighborhood District, which is different. So, that's how we would use that to communicate with an applicant.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: And, Bill, for that residential district, if you have an R-2, R-4, R-8, whatever, but, then, you have commercial -- and I'm trying to figure out what does abutting mean and you have a residential street between the commercial and the -- the residential, what -- where -- where does that fall in something like this?

Parsons: President Hoaglund, we define that as well. So, we do have abutting in our code and that's a shared property line. So, in that particular case if there was a road separating the use it's not abutting, because there is right of way separating. So, it's -- it's adjacent, but it's not abutting.

Hoaglund: Thank you.

Parsons: Next item is request of staff to change. So, essentially, in our multi-family standards we do have a minimum building setback. Typically, ten feet, but if you are in an R zone it could be up to 12 or 15 feet, depending on what district you are in. So, this -- what we are trying to clarify here is that this would only apply to the multi-family buildings, not necessarily the garages or the carport. Because what we are finding is -- is when people design their multi-family projects and they -- they try to create the taller buildings internal to the development, but they are having a greater buffer, they -- they are having to put a wider buffer around the perimeter because of this requirement for the building setback. So, we want to make it clear that the setback really is meant for the structure, not -- the residential structure building and not necessarily the garage or carport.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, one other thing I was going to bring up -- I think I should have done it a few minutes ago. On the drinking establishment -- probably more for the members of the public, but in our code a drinking establishment is a non-restaurant. So, if it's licensed as a restaurant by the state that doesn't apply. So, a CUP isn't going to be required for every place that serves alcohol, just the ones that primarily serve alcohol and may be either serve food or may not serve a full menu of food.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: On the ten foot, Bill, I know there has been discussion of this and want to development before, but you have the two building structures, but, then, you have some eaves that come out and is it ten foot from building to building or is it ten foot from anything from that structure, like the eaves, which can make it eight feet, because they stick out a foot plus on each side.

Parsons: Mayor, Members of the Council, Council President Hoaglund, it's going to depend. It -- as you -- you can imagine typically we are going to -- some of the planning -- it -- it's going to depend on the building code really. That's where we default to. We will go to our building experts and we are going to say, hey, how are you going to apply this, because our code does allow for some sort of projection into that back. So, it's really going to come down to how is the building department going to look at this and how are they going to evaluate that and, then, we are going to take that under consideration. So, this next item is just renumbering it to align better in code. These were some of the changes that we made a year or so ago to some of our multi-family standards and the numbering sequencing got out of alignment a little bit when we went through with those changes, so this is just aligning it up better in the process so people understand and interpret code better. The next item is, again, a clean-up for the vertically integrated. Again, it's some of the language that I carried over from the multi-family standards and the sentence that I actually have struck here does not align with any purpose statement. That was aligned with the multi-family purpose statement. So, it's just removing that sentence and, then, farther in this particular graphic I have added it to the table in Section 11.5.B5 to -- to align with this code section. So, more clean-up and, again, the next item you probably saw a lot of the public comments associated with this next line item, but this was really a request from legal to align part of the record with the effective person, because that does align with LUPA when you look at Chapter 67 of state statute. It does mention affected person, not necessarily part of your records. So, this is legal's -- legal came to us, asked us if we would include that as a line item. Now, what's getting a little convoluted in the public testimony is that hundred foot requirement, so just for the record for transparency sake, I just want to make it clear that the -- you, as the City Council, empower -- you dictate the process for how we approve

applications. So, in the planning realm we have what we call accessory use permits and, then, we have administrative certificate zoning compliance and, then, we have conditional use process and/or a hearing level process. In this particular case -- and in that public testimony that -- the written testimony that was provided, the hundred foot requirement applies to accessory use permits, not the entire public hearing process. If you look at the code, you look at the AUP process, it specifically says there is a hundred foot radius that you have to notify anyone when you have customers that come to your home that are seven or more or you have an in-home daycare. If you go through a conditional use process there is a section of code that says you need a 500 foot radius and that's pretty standard for any hearing level application, unless the code says we -- or a cell tower would require a thousand foot. So, what I want to be clear on the record is the hundred foot has -- has always been part of the process. It's just -- it's not part -- I don't want -- based on some of the records the public testimony that I read it implied that the hundred feet wasn't enough and it's like it is enough for that particular application and it doesn't affect the public hearing process. So, this is a completely different process than what was being conveyed in the public testimony. So, I just want to be clear on that, that our code -- and the question was why the hundred feet? I don't have an easy answer for that. To -- to Mr. Nary's point that's the number we landed on when we adopted the code. The hundred feet seemed to be the right radius to notify the -- the five or six neighbors around the property more than likely that will be most impacted with that in-home business. But I can assure you when we approve an AUP or a daycare or a home occupation, our code does not change the occupancy of that structure, it's still a single family home. So, that's why it's a smaller radius and it's a less cumbersome process for somebody to operate a business out of their home, because, again, the intent is to support that, but also not change the character of the neighborhood and that's why that hundred foot radius is -- is part of the approval process.

Strader: Mr. Mayor?

Parsons: I just wanted to go on the record and clarify that. So, really, a lot of the next four or five pages were -- is really just changes that came legal to align with state code.

Simison: Council Woman Strader.

Strader: I just wanted to make sure that legal had an opportunity to review the public testimony around the verbiage and feels comfortable --

Pardons: Yes. I actually asked them to look at that and be ready to answer any questions that Council may have around that. Because the last thing we want to do is have people confused on the process. We don't want that. We really want them to call us and ask questions when we are going through this process. And, again, a lot of this does align with, again, the same verbiage that I was just mentioning. Here is that change that I was speaking to to Table 5 and, again, more clean-up items here. As you know we made some process changes and now when you have a DA modification going concurrently -- or any other application going concurrently with a CUP or

alternative compliance going with the CUP or annexation, rezone, plat, we want to make sure we have empowered you to make the determination on that and so we want to make sure that the findings reflect it's not just the director acting on the alternative compliance, it's really you become the decision making body, just like you would on any other application. And, then, the same thing goes with -- again whenever you have a concurrent application, again, we make sure there is a CUP. It's no longer the Commission, it's really you approving it. And, then, again, there is the -- the language that I mentioned at the opening of my presentation about the ingress-egress for common driveways and aligning that with the same section above. So, as you probably are aware, you saw the -- the testimony on this particular application for Melissa and Mike Bernard. I think I have tried to address all of her comments this evening in the public testimony. Planning and Zoning did, again, recommend approve of this application at the July 6th hearing with no modifications. So, I will go ahead and conclude my presentation and stand for any additional questions you may have.

Simison: Thank you, Bill. Council, any additional questions for staff at this time?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Maybe I missed it, but how do we plan to address the noticing kind of confusion? It sounded like, you know, the public pointed out that this wasn't accurately just -- it wasn't a hundred percent accurately described. So, how do we want to tackle that?

Parsons: Mayor, Members of the Council, there is a couple ways we can do it. One, again, the legal advice that I received for -- at least counsel said it's a scrivener's error, so we can -- we can move forward and approve it as is. I have already made changes to not only tonight's hearing outline, but also the staff report. So, it will be reflected correctly in the ordinance and in the -- the staff report that will be attached to that and, then, I just clarify it on the record. So, I think as far as any noticing errors I think we have got that pretty much cleared up on the record for tonight's proceedings.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, I -- I would agree. I mean it's a -- it's a -- it's a -- I -- I recognize that errors do happen and so I -- I think if -- if the Council is concerned, we still have a process to go through to approve the ordinance. This is really just a -- a discussion over -- are these the right changes, are these the right ones you want us to look at? If -- if you want to hold another public hearing as part of the approval process of the ordinance you are certainly free to do that.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I'm trying to imagine this -- an affected party presenting a request for review. Typically the party that presents that request has to have -- has to point out specific findings -- elements out of the findings of fact, right, and make a statement -- make a statement requesting review of something very specific. So, help me tie that together to that, that -- you know, that affected party and they are not the applicant, they are not -- they are not the owner. So, how does that work?

Nary: So, Mr. Mayor, Members of the Council, Council Member Perreault, so -- and that is really just the way the code is drafted. I mean it is a state code requirement and it just states it that way. So, they are going to have to show they have an interest and, then, the decision maker has agree or disagree with -- that they are affected. So, if they disagree they need to put on the record why they disagree and if they are not an affected person that they -- they think are, it's -- it's to avoid -- essentially you are trying to approve, like Bill was saying, an accessory use like a daycare in northern Meridian, and a person who lives in south Meridian just hates daycares, says this is going to affect my life, somebody has the ability at the decision making level to say I don't see how they -- this could affect them. So, I don't agree with them. They are not an affected party. Now, bear in mind our normal legal advice would be when in doubt just allow them to do it. It's easier just to allow them to do it and you could still not agree with them and that's perfectly fine, so we would tend to go that way. But -- but the way the code is drafted is -- because you could have an obscure circumstance that seems farfetched and a very big time waste, you know, through when somebody clearly can't distract it, other than a personal dislike for the subject matter.

Perreault: Mr. Mayor, a follow-up question on that.

Simison: Council Woman Perreault.

Perreault: Probably a simple question, but the assumption is that when we send out public hearing notices to properties within 500 feet that they are affected by the -- the application; correct? So, the assumption, then, of course, is that that affected party, quote, unquote, would come to public hearing, make their statement, et cetera. Why, then, are we not using that same distance in the opportunity to request a review?

Nary: Mr. Mayor, Members of the Council, Council Member Perreault, again, certainly the number can change. So, that's not an issue. I would try to parse out between what the code defines as affected versus what we believe could be impacted and the -- the 300 foot buffers and those thousand foot buffers are -- are a belief in the land use arena that they could be impacted by some degree, but affected is a little bit narrower by code, because it is trying to determine that you actually have an effect on the valuation of your property, impact in your life, those types things.

Simison: Any additional questions for staff at this time? Mr. Clerk, do we have anybody signed up to provide testimony on this item?

Johnson: Mr. Mayor, yes. David Phillips.

Simison: Good evening, David.

Phillips: David Phillips. 1953 North Tessa. One of the things -- so, I'm -- I'm not native here from Idaho. I'm a transplant and I'm a very happy transplant, especially here in the city of Meridian, because every single time I run into somebody -- like I did just last night as I was signing up my daughter for her freshman year at Meridian High School, they asked me would you ever go back? Not a chance. Not only do I love Idaho and everything that it stands for, but I love Meridian and everything that it has provided for my family. My wife teaches here. I get a chance to work here. I get a chance to volunteer here. As you can see all over my hat and shirt I am a very -- very active member with American Anti-Drug Coalition and when I'm driving down the street and I see a billboard that is blatantly advertising something that is not legal here, that I ran from in my previous state, it kind of boggles my mind. Why would -- why -- why do we have laws if we are just going to let people tippy toe around them because they didn't say the word. They didn't say the thing. I mean what's going to stop someone in Nevada from putting up a billboard for all the extracurricular activities that are legal in that state? I mean, heck, Oregon you can do anything. So, let's advertise cocaine, crack, mushrooms. Let's just go balls of the wall; right? One of the things that we learn when we -- one of the things we have been dealing with in prevention when it comes to -- especially with this legalization of marijuana is youth perception of harm and our youth watch us more what we do than what we say. So, if we are saying drugs are bad for you, you shouldn't do drugs. The reason why marijuana is not legal in this state is because it is bad for you. But we are going to let you drive by and see a billboard every single day that says go to Oregon and break the rules and bring back stuff that's not legal here. That doesn't make sense. So, I'm extremely excited that at first I got really mad at this, but I wasn't the one who carried the torch for it. It was somebody else that was just as I was that got to carry the torch for once. I'm also extremely happy to know that we have had multiple Council Members from the previous council and this current Council that have come to meetings who have spoken that they, too, think that this is ridiculous, that we are so glad that we are looking at this ordinance and we are tying this up in a nice little bow. I do know that ordinances do work. I have been part of crafting two very successful ordinances. One about synthetic drug use and, then, one that dealt with social health sciences. So, these things can be very useful in solving these kinds of problems. Thank you.

Simison: Thank you. Council, any questions? All right. Thank you. Is there anybody else present that would like to provide testimony? Good evening. If you would state your name and address for the record.

Benenate: My name is David Benenate. 417 West Pine Avenue. Mayor, Members of Council, thank you for letting me come tonight and share my testimony. Just as David was saying, I'm driving by and I see this billboard and it has this advertisement for Hot Box and I knew immediately what it's advertising. Oregon's finest. Right? Eastern Oregon's finest. And we know in the past few years -- I'm not sure exactly how long, but

Oregon has legalized marijuana and there is no marijuana or nothing that states what this dispensary place is. What Hotbox is. But I just knew -- like you could just tell what it was and that kind of just put a -- like a fire in me. It's like why are we saying marijuana is illegal in Idaho -- in Meridian. We fight to keep our kids off of drugs, but they allow the advertisement of illegal content in our city and what kind of fired me up was knowing we are stirring up the curiosity of our kids and I have a nine year old, I got a seven year old, I got a four year old, I got a three month year old. Yeah. I'm just like -- I'm in the thick of it and, Mr. Cavener, as you said earlier, you got a seven year old and I think you would understand you are teaching your seven year old good -- good morals, math skills, reading skills, speaking skills. The last thing I want to do is -- is try to explain to my daughter what Hot Box is and that actually happened three weeks ago when driving down Fairview and that billboard sign on Locust Grove, Hot Box, and she's in the back and she goes, daddy, what's Hot Box? Don't worry about it. And I sent an e-mail to you, Mr. Mayor, a few months ago asking about this, why are we advertising it, and this was my concern is not just my daughter, but the youth in Meridian, their curiosity is being percolated I guess as they drive by it, because it says nothing about marijuana. It says nothing about drugs. But what is Hotbox? Oh, I'm going to go get on the Internet. I'm going to get on my phone. I can just look it up immediately and not all youth in this city are as fortunate as my girls where they can come and talk to me and ask me. I know there is youth in this city that probably don't have parents that they can talk to. They might be isolated. They might be lonely. And when they are at school -- or after school and the parents are at work, they can just get on the internet and start researching and now they are exposed to stuff that they shouldn't be exposed to, especially with my girls at a young age. You know, more so high school. And I just want to share testimony -- back in my days I was caught up in drugs at 14 years old and it's because it's just so available. It's right there. So, I just want to agree that we should get this bill -- this ordinance passed that we will not allow illegal activity advertised in the City of Meridian. Is that beeping me that I'm done?

Simison: Yes.

Benenate: Okay. I have never been here. So, that's great. Thank you.

Simison: Council, any questions? Thanks.

Benenate: Thank you. Appreciate you guys.

Simison: Is there anybody else who would like to provide testimony on these items this evening? Staff, any additional comments or -- okay. I think, Council, it's just whatever your direction is on the items that are in here. I will just say I appreciate staff's hard work on getting here and that of the committee and appreciate the leadership of MADC and staff on -- on this issue. We know it's a tricky topic. It will remain tricky here in Idaho, but it's a start. It's a -- it's a stance. It's a -- it's a position statement. We also know its limitations, you know. Not all people won't understand not every billboard that's in Meridian is actually in Meridian, you know. So, there is limitations, you know, in certain components of this conversation, but it's an important conversation in -- in that

context from my standpoint. So, look forward for the opportunity for it to be successful. That's the best way I can put it.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: What's the process from here? I definitely would like more -- maybe I don't even know what -- what to ask specifically, but just more comfort level with the building height of a hundred feet in regard to where exactly -- you just gave us a little map, but I -- I would really like staff to come back with maybe some parcels of concern or I imagine you -- you looked at these specifically parcel by parcel or if you haven't, then, you know, I wouldn't mind hearing from staff on are there anywhere where there were concerns in having hundred foot building for any specific reason that's right next to a single story home, you know, it doesn't fit in that particular area. I -- I'm just hesitant to give the -- to sort of have this approval that runs all along this corridor in -- such as Broadway with without a little bit more specifics looking at -- I'm not going to ask staff to go parcel by parcel, that's too much, but I do think we need to kind of narrow down some possible challenges this will create before I'm comfortable approving it in code.

Strader: Mr. Mayor?

Simison: Can you -- is there a quick answer or do we want to go to the --

Parsons: For planners there is never a quick answer.

Simison: Council Woman Strader.

Strader: I -- I share the concern. I was going to make this suggestion. I would hate to throw out some of these really positive changes that make sense to move forward when I think there is something that maybe we want to work through. I was going to make this suggestion that we table the hundred foot height change and study it a little bit more. At least I would be more comfortable with that. And, then, you know, maybe continue the public hearing if there are comments from the public specific to Chapter 6, the common driveways that would be noticed, I feel like it would be good to give the public the opportunity just to comment on that specifically if they do. I -- we don't have a ton of folks that do, but we have some that do and really appreciate their feedback. So, that those were my two suggestions. Maybe table -- you know, continue the public hearing just for Item 6 or at least don't move that forward yet until we can get more feedback and, then, the hundred foot change I'm just not there yet, I need to dig into that a little more. I would also like to hear from the Fire Chief directly on that one, too.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglun: Yeah. For staff or Bill, whatever the outcome will be, but do we need to have a resolution to -- to approve these or what is that process for the next step?

Nary: So, Mr. Mayor, Members of the Council, we would -- the next step we take is the ones you do want to move forward. Bill and my office will work on the ordinance language and you will get an ordinance in front of you.

Hoaglun: Okay. So, we do have some time to discuss this, have more conversations, do some research and, then, have that ordinance built based on the comfort level of everyone -- the direction we want to go and, then, move forward from there, so --

Nary: And Mr. Mayor -- and on top of that as well on the -- on the renoticing, whether you want to continue this item or simply table it to a future date when we are ready to bring this forward, I don't know, if it's going to be two weeks or a month or whatever, then, we will just re-notice it up again with the Chapter 6.

Hoaglun: Mr. Mayor? Oh. Go ahead.

Cavener: Thanks, Mayor.

Simison: Councilman Cavener.

Cavener: Thanks, Mr. Mayor. I think that's -- that's kind of my level of comfort. I would like -- Bill, Caleb, I appreciate your work. I know this is not made overnight. This takes a lot of time and effort. I feel like we make decisions on this and, then, you get ready to start working to bring up the next version that you are going to bring to us down the road and so appreciate your work getting us this information, going through P&Z. This piece tonight, kind of the narrative we are getting from you and the -- the discussion with Council for me is always really helpful, so I would like to take a couple of weeks to kind of mull over -- perhaps meet with staff if I have follow-up questions before we make a decision, because there is some of these that -- I'm not quite there on and I would like to hear a little bit more insight and maybe time to just even just sit and think on it before, you know, making the decision right away. So, two weeks, three weeks to me would be sufficient to give us all time to meet with you if we have questions and, then, come back for a decision.

Parsons: Mr. Mayor and, Council if I can just give you my three minutes here that I'm just chomping to talk. Sorry. A couple things. Try to take each of these a piece at a time. So, to your point on the changes to Chapter 6, that is not new language, that is just something that's always been in code. It's just defining it a little bit further. So, I'm not sure if you are going to get any other additional comment on that particular issue, the common drive, because it's not changing anything to the standards, all it's saying is -- is we want it -- either we want to dedicate it via a plat, if there is no other option, unless -- that's -- that's really the -- it's a simple change that's aligning with another section of code. As far as the height we did look at that, to be honest with you. I -- I -- and I respect that you guys want to digest this, because we want you to digest it,

frankly, because this is citywide. This is not just one section of our town. This applies citywide when we change the law and change code. But what -- the reason why I said we took it a small piece at a time, because we didn't want to open it up to Eagle Road corridor, we didn't want to open it up to Overland Road. There is many different corridors in our community that could probably stand to have taller buildings. We are just not there yet. We haven't done that parcel by parcel deep dive to see if it makes sense for us to do that. But the reason why we chose the I-84 corridor is because we have had people come and talk to us about their properties and they are zoned commercial. We have had people in the Ten Mile area, they are already zoned commercial, they already have buildings that exceed the code requirements. So, yes, we are very methodical when we looked at it. About the only residential properties that you have along there is a -- a subdivision on Linder Road there in the city that came in back in the '90s that's along there, but the rest kind of county enclaves that have a potential for a mixed-use designation or commercial designation that will change at some point in the future. So, that's the reason why we took a smaller bite at this and said let's start with one corridor and see if it works and if not we can change code. But, again, I -- I understand your concern. If you want me to go line by line, Councilman Cavener, if you want to come talk to me in my office and -- and vet these out and get a little bit more information behind that I'm happy to do that, but I just at least wanted to give you some of that information and how we got to that -- that 750 and, then, specifically along that corridor.

Simison: And, Joe, if you could help me with the code. As -- I know you mentioned that it can go up to 80 foot, but stick frame is six stories or seven stories?

Bongiorno: Think it's seven. I'm not sure on the current code, Mr. Mayor. I just know with the 2021 code it -- it -- they allow that large timber to go up. I think it was like 14 stories.

Simison: I think that that was my recollection of why we got to this hundred foot, because you can't do eight -- eight stories, a hundred feet, is not -- is not -- you really can't do it in that. Let's look at Jon and he is shaking his head. You can't do eight stories. So, seven stories is your likely max, which aligns with the current code of timber allowable. That's kind of how that number came in there. But whether it's a hundred or 96 or 90, I -- I don't know. If seven stories in 90 feet. Close. If -- if we want to align it to those type of principles, as compared to 65, which is, you know, what it is now, which is not really wanting to be -- other than a some point that's the height that we want and I -- I don't have a better answer than that. And that's what people have to -- have to deal with is like, you know, decisions that people made before Caleb was even here and that's going back like 21 years if you look at it that way. So, anyways, just -- just to put some context into where that hundred foot rationale from at the least my conversations with staff kind of landed at for whatever value and purpose that is. But hearing from the chief and --

Bongiorno: Yeah. Mr. Mayor, I was going to say also that 75 feet is kind of the magic number. Once you get above 75 feet and you get into -- now it's considered high rise,

cost, as Jon could probably attest, considerably skyrockets because of the building code and the fire code requirements. So, that's where we end up with these 74 feet nine and three quarter inch tall buildings, because once you hit 75 feet they really go high because of the requirements.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. And I think, you know, great from a city perspective I would -- I would love to come at it from the perspective that, you know, we talked to the fire department, here is how far up the ladder truck can go and get kind of crystallized on that, because at least in my mind that -- that's a pretty easy thing to anchor myself to. Like, okay, we know a ladder truck can get to that or at least within -- reasonably within that. So, I would just like to get a little more detail on how far up the ladder truck can reasonably get to if it's parked at a normal distance from the building and that should all be kind of outlined as well; right? And I assume it's part of the code in terms of like where the fire truck can actually park in order to make it to that distance. So, I just feel like we should be not necessarily solving for the average of what economically works for the development community -- I don't think we are. I think it should be that we are grounded in this because this is our perspective on what we could safely service and what we think is appropriate for the area; right? So, I think that the -- those two pieces are the pieces that we just have to tie up. But I totally appreciate what you are saying, because it's like if there is just this arbitrary standard that's been set, we are doing the right thing I think by trying to find what the standard should be. So, more work to do.

Simison: And it may include a little demonstration, because you are typically not trying to put people on the top of the building, you are trying to get to a point and the level is going to be down, not a hundred feet. While people -- even if you need to do that, but don't -- don't get -- I'm not the firefighter, so I'm not going to pretend to play one with anything else. Mr. Hood.

Hood: Mayor, just maybe a couple of comments on -- on that one in particular and -- and I think we are comfortable with the ordinance, renoticing and doing some of these other things. But I do want to also address the -- the building side of that. We did consult with the building official, as well as fire, and I think we will -- we will rely on -- on Chief Bongiorno to bring Chief Blume in this conversation more. I have to assume he has been consulted to some degree, but we will make sure you are comfortable with it. But I did just want to bring in the other life safety element of that again, which is the building code and we did have a sit down with them as well. Your -- your comments previously have not fallen on deaf ears. We are going to coordinate this and the 75 foot height is part of that. So, it's the -- even the climbing gym -- I'm reading their name -- have had conversations about that building. It's like, well, our buildings taller, but there is no one above a certain point. So, a demonstration. Or those, you know, real life things that we have talked about. Not saying this is perfect and -- and it will be a challenge. I kind of shook my head when Council Woman Perreault asked if we went

parcel by parcel. I did not know Mr. Parsons actually did that, because I did not. But I did look at it and went 750, okay, and -- and to his comment I think the struggle there is going to be, you know, you have got existing residences that are -- that are close by even some single level in the county. Largely we try to protect basically that 750 Overland, there is nothing in the city that's -- no family residential necessarily between the Overland and the freeway. But you do have some county subdivisions where a hundred feet that are affected or impacted, but they will know that there is a hundred foot tall building there, but the city's plan is a lot -- for a lot of those properties to redevelop over time, so that transition -- how much are you going to transition to urban versus protect something that's a one acre or two acre in the county. It's difficult. I mean they are not going to be -- and I think there is going to be flavors of ice cream there; right? Some may like it, some may not and -- but to Bill's comment, we have seen quite a bit of -- the land is scarcer and more expensive and you need to go vertical, particularly on the interstate corridor, and that's one of the things where we looked at it and said is it perfect? It's a better fit in some areas than others, but this is a nice, clean dimension that for the most part -- at least at this point staff says we think this is right for our community. Again, we can have more of that conversation. I wanted to give you a little bit more of the context from my perspective and the work that I did and some of the conversations on the UDC focus group and -- anyway. So, I will stop there.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I don't know exactly how it would play out, but I would also have concern that we have a hundred -- or close to a hundred foot just salt and peppered here and there, individually standing on our own and I just don't like that from just a pure -- like this is how we, you know, develop city standpoint that -- that has nothing to do with code. I just don't want the city to look that way, because I think it's unattractive and I don't think it is beneficial. I don't know if that's a risk that -- that we would take by doing just a hundred foot building here and a quarter mile down the road we have another individual building, because you -- because we do have these distance limitations.

Parsons: So -- so, Mayor, Council I just -- I just want to go on the record and let you know that the H-E zone does allow a 90 foot -- 95 foot tall building right now, so -- and we have some H-E zoned property in Ten Mile. So, it's not really much of an increase, it's not really incentivizing that zone very much, to be honest with you. But where it may be incentivizing it on C-G and the M-E zones are 65 feet. So, that's where that 45 foot -- or 35 foot increase could be pretty significant in those particular zones and, then, in the C-C zone it's 50. So, that's -- those are probably the three critical zones that I could see taking advantage of the taller buildings. H-E you are probably not -- not going to get much from that, but just wanted to let you know that's what the code is right now.

Simison: All right. So, do we have a path forward?

Borton: Mr. -- Mr. Mayor? Just one quick question for legal. If somebody were to install a billboard for illegal activity a week before this passes, would they be allowed to keep it?

Nary: Yes. Yes, they would, because it's -- because it's an existing condition and there -- there is no permit required. I mean there is no additional permitting required. So, it would -- it might be problematic. I mean we said -- we would have to look at it and we certainly would contact them, but whether or not we could enforce that to our land use code against them might -- may be more problematic.

Borton: The reason -- the reason for that question is if this were to be tabled for further discussion, could we carve that out and bring that part forward faster?

Nary: Certainly.

Borton: Understanding the remainder might have further discussion. I don't know if it all needs to be continued, if there is some risk that we might miss an opportunity.

Nary: Certainly we could -- we could bring it forward in two weeks if you would like.

Borton: Okay.

Hoaglund: So Mr. Mayor --

Nary: Maybe pause for one second. Bill, has this been through P&Z?

Parsons: Yes.

Nary: Oh, yes, it was. It was on -- it was on the record. That's right. Yeah. As long as it's been through P&Z we can bring it forward anytime.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Ask staff. And so what -- what time frame do you feel comfortable with? There will have to be noticing and -- I mean if -- if we can do it in two weeks and have Council discussions, questions, follow-up to questions and noticed and come back, is that -- is that doable and -- and, Mr. Clerk, I don't know what our -- our schedule looks like in a couple weeks off the top of my head, but -- and for your -- your workload, too. I mean there is -- will -- will that -- will that fit?

Parsons: Yeah. I mean -- so, Mayor, Members of the Council, President Hoaglund, yeah, this is pretty much done. Like you said it -- there is some tweaks or modifications. Happy to take those suggestions this evening and make those happen. But it's -- a lot of it's really already baked. We are just waiting for your approval.

Hoaglund: Okay. And Mr. Clerk --

Parsons: More burden on me.

Parsons: Mr. Mayor, President Hoaglund, I want to be clear. If you are asking me to renote before a new discussion, the earliest would be September 12th. If you are wanting to -- I just didn't follow quite what you are looking to do.

Hoaglund: Yes. Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Clerk, yes. Yeah. What would be the earliest that we could with renoting? Is September 12th, so -- so, Mr. Borton, September 12th would be the earliest with renoting and I -- I think you raise a good point on -- on that.

Borton: I missed that -- I missed that. Yeah. Are we required to renote the entire thing or are we doing it because we want to -- yeah.

Nary: Sorry. You don't need to notice this. You can bring forward an ordinance from this discussion in two weeks for approval and, then, looking through the code we could enforce it now, so --

Borton: Okay. Mr. Mayor?

Simison: Councilman Borton.

Borton: I -- I understand the reason for the continuance, but as to that section I would be inclined to ask legal to bring that forward in two weeks and allow it -- carve it out, act in two weeks, while the remainder continues for further information and discussion.

Nary: We can do.

Borton: Unless Lacy --

Ooi: Lacy Ooi. Code enforcement. I had a question in regards to the answer for the boards -- the bulletin -- the billboards. If they are up before the code changes they would not be enforceable?

Nary: No. I -- as I reread the code, Lacy, I think they would be.

Ooi: Okay. And, then, my question would be regarding electric readers that are change copy, as opposed to a permanent standing.

Nary: It will be the same.

Ooi: So, they -- we would be able to enforce on them. Thank you.

Simison: That's my reading, too. Sorry. I was a firefighter, now I'm an attorney. What else do you want me to be tonight?

Bongiorno: Mr. Mayor? I'm sorry. Council Woman Strader, would you like the chief to be here the 22nd or the 12th or do you want to talk to him ahead of time? How -- I just want to make sure I get my bearings straight.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I -- any of those dates is fine. I would like him to be here in a public meeting to address, you know, whether he's resourced for this and --

Bongiorno: Okay.

Strader: -- if he has concerns on the maximum height and -- you know. Yeah. Just -- I don't ask you -- I mean it really depends on what he has to say; right? If that's a short conversation or a long conversation I don't know.

Bongiorno: Understood. I just wanted to make sure I got clarification. Thank you.

Simison: Okay. So, go back to we have a plan moving forward. Do we -- are we closing the public hearing or are we redoing everything again?

Hoaglund: Well, Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: My understanding is we will be coming back with an ordinance change for the billboards in two weeks. That will be on our calendar. And, then, September 12th we will have the rest of it and allow Council time to ask any further -- you know, bring up and do some research, whatever the time -- want to do within that time frame and -- and I -- I would assume we leave the public hearing open or do we need -- we can just open so we don't have to renotece.

Nary: Right.

Hoaglund: So, we can just -- or renotece portions or --

Nary: Well, I guess what, Mr. Mayor, Members of the Council, thought the desire was to renounce because of Chapter 6. Although Bill did say it was a fairly minor. If you want to renotece, then, that would be the September 12th.

Simison: So, we -- we notice -- continue the public hearing to a date certain and have the notice in effect for that and do the other stuff separately quicker.

Nary: Yeah.

Simison: That works?

Nary: Yes.

Simison: Okay. Whoever wants to make those motions. It has to be a City Councilman.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I -- I move that we continue the public hearing for ZOA-2023-0001, with the exception of the billboard changes that will be brought forth in ordinance form in two weeks and that the remainder will come before us in this continued public hearing on September 12th.

Borton: Second.

Simison: Have a motion and a second. Do I have 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.

8. Public Hearing for 2023 Comprehensive Plan Policy Update CPAT (H-2023-0029) by City of Meridian Planning Division

- A. Request: Comprehensive Plan Amendment to update text, priorities and lead/support departments for certain policies text in the Plan

Simison: Do we need to take another break or are we good to move forward? All right then. Next item up is Item 8, public hearing for 2023 Comprehensive Plan Policy Update CPAT, H-2023-0029. We will open this public hearing with staff comments.

McClure: Mr. Mayor, Members of the Council, thank you for having me here tonight. I thought short agenda I could talk your ear off for a little while, but now I'm tired. We are here to talk to you about some policy updates, which is a Comprehensive Plan text amendment. This should look all -- very familiar to you. We are mostly formalizing what we discussed in May. While the presentation on policies will be short, I do want to plug additional next steps after the recommendation. Briefly this is an overview for the presentation. We will cover some process -- we will cover background, review process

recommendation and next steps. The review process started by talking with the directors, having the department review, provide updates, and, then provide an opportunity to ask Council for any direction they would like to receive. On May 2nd we reviewed this work with Council and, then, discussed some areas of uncertainty, generally around the group priority areas. We took your feedback and, then, submitted for a public hearing for a Comprehensive Plan text amendment. Planning and Zoning reviewed these changes on July 6th and recommended them to Council with no changes. There are 50 policies -- policy changes. Some of these fall into multiple -- multiple categories. Two have minor text modifications. Just grammar. Sixteen have priority changes. Fifteen with lead. And 37 support. I'm not going to go through all of these with you. You have seen them. Except for several that were reassigned to Economic Development. And they are all detailed in the staff report. I am more than happy to talk through any questions you may that have caught your eye and I'm going to pause there in case there are.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I'm assuming we are not going through these one by one.

McClure: I'm going to move on to the recommendation next.

Perreault: Oh. Okay. Can I ask a question, then, before we do that?

McClure: Sorry, Mr. Mayor. Please do.

Perreault: Thank you. I understand that some of the intent of this is because economic development has moved under the Mayor's Office. The one thing that wasn't clear to me on the recommended changes are -- you know, which -- which -- which support -- well, even with the leads and the support, why -- some -- our -- our Mayor's office entirely and some are just Economic Development. Does it just have to do with who within -- like which staff member is going to be involved in it or -- I would -- I assume when it says Economic Development it means the Economic Development staff. When it says Mayor's Office it means any assigned staff member within the Mayor's Office. Was there like a rhyme or reason on that? And, if so, can you help me understand that?

McClure: Mr. Mayor and Council Woman Perreault, there were many rhymes and reasons for that. As you noted, the Economic Development team is situated under the umbrella of the Mayor's Office. However, Economic Development is physically located in Community Development and works very closely with Community Development staff. There was a desire to maintain some of that prominence sort of the -- as a -- as a relationship that works between two different groups and we just honored that. It could have gone any number of ways and planning just wanted to be supportive of what they would. So, when it says Mayor's Office is because it is actually, you know, strategic

plan Mayor's Office sort of topics. When it says Economic Development specifically it really is Economic Development team.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: And one that caught my eye was 3.03.02D and the change from implementing strategic growth areas to maintaining strategic growth areas. So, are we, you know, planning to sort of formally publish that? I have been a big proponent of us doing that and I think that's important. I feel like -- I have a crystallization of where those areas should be, but I just wanted to talk about that change and sort of understand, you know, the -- do you feel like you have good buy-in on where those growth areas are and -- help me understand that.

Hood: So, Mr. Mayor, I will -- I will take this one. The slide that Brian pulled up should look familiar. We -- we used very very similar -- if not the same slide in May when we had the conversation and my notes from that conversation where -- to sort of back off the more aggressive and -- and take a more passive approach on -- it's not exactly how I wrote it down. But -- but something to that effect. So, any of the changes that we see there from implementing to maintaining was again -- and maybe passive is the wrong word, but I'm somewhat comfortable in it, the last part of your question there. I think there is an understanding from the development community and even to some degree from our citizenry about where the next wave of growth is anticipated and expected based on our utilities and our roadways, our response times, some of those things that you talked about a few years ago that aren't codified, that there isn't an official map, but there is a general understanding of things on this sideline it is okay to open and that is not quite ready to develop yet. I can't speak for everybody, but I think there is a general understanding from those groups that I just broadly said I think understands. You will get that limit push, though, and we don't have a black and white on this side of the line and no one on that side of the line is a maybe. In fact, there is applications you will see that we will test that boundary coming up. But that was the direction I heard in May was we don't need to have that map. If that's changed we can do something more explicit in that and look towards adopting a real map that says, nope, here is the line. We will build this fire station or this roadway is improved or whatever those matrix are. We are open to doing that, but that's just not the feedback that I heard in the spring.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Totally understood now. I think I was misinterpreting the use of maintaining. I think what you mean is maintaining the implicit understanding of where strategic growth will occur. That -- that -- is that the direction I feel that we should go? I am more a proponent of adopting something more formal, a map perhaps even, that would be more explicit. I think I -- you know, I'm maybe a bit of an outlier on that. I know there are

differences of opinion. But I think that's a missed opportunity and -- and that maybe providing those bright lines could be a really good way to help focus those conversations of where people want to push the boundaries. So, just wanted to say that.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: And I think Council will call staff -- I wasn't present at the May meeting, I was out of town, but I had a chance to watch and feel comfortable participating tonight. I share a little bit of -- I think Council Member Strader's opinion. I think that there are certain spots that people know, but the further you kind of move past that epicenter is when it gets a little more gray and so I -- I'm not belaboring the past, because this was not something I was super warm about, because I think some of the ambiguity that's associated with it -- I would feel more comfortable if there was something that was more formalized that has some specific boundaries. I think that gives our neighbors in the development community some better understanding about what we are intending behind it and I think anytime we have the opportunity to remove as much ambiguity as possible it's -- it's a win for our community.

Hood: Mr. Mayor, I will just -- I will say, you know, we can work with -- work with that feedback, too. That's up to the majority of Council, but if that's something we can start to bring that topic back up -- Brian just brought to my attention and I will -- I -- I think some of that is you do want to have some stability that if the line is too bright maybe you -- you can make that call, although you want to send a message, too. So, I'm not quite sure where that lives. But we do have -- and what we are looking at putting in our staff reports -- so, a report template is also something we are working on right now -- is the service accessibility tool. So, it does already incorporate that tool, which we are trying to use more and publicize more. You guys use that red, yellow, green kind of go, caution, stop type of a system for scoring parcels for their availability of -- to be annexed and developed in Meridian. So, it uses things, again, like the five minute goal response times from fire, the roadway capacity adjacent to a project, even pathways are -- are in that tool and so that scorecard, if you will, of how a parcel scores you even have, so it doesn't tell you that you have to pass it or fail it, but it shows you how are we doing in each of these elements of -- of service that we provide to a community, even some of them on our services, like roads. So, I just wanted to also make that point and, again, we can talk with the Mayor's Office and see what that looks like to make more formal -- some type of a growth boundary map. We also do have -- I will just note quickly in the city strategic plan some language that is real similar to this, too. So, I will work with Vincent as well and -- and some of the tactics and objectives even in the strategic plan to see what that looks and we can bring something back maybe at a workshop or something and see what that looks like.

Simison: And one thing to add -- consider is that if you are going to go down that road, you know, dualities and CIDs fall within that, because if they are coming in to fix all the

problems outside of that growth boundary is that okay. You know, I know there is -- there is city services that go along with that, but that's been some of our conversation at this point. But if someone says I'm going to come in, I'm going to solve all those problems that are your line, does that matter or does that not? But that's the reality of CIDs is something we have recently been exploring just so we understand them as a tool in case if someone in the development committee ever approaches us with something that they want to do. So, just for the -- for the conversation.

McClure: Mr. Mayor, Members of Council, is there any additional questions you have or should I move on to the request? So, this is the request before you tonight to approve the -- the policy -- policies as recommended, both by city staff and the Planning and Zoning Commission. If you feel like you want to modify some of those that is, of course, your purview and we will do what we need to do and, then, just plug one more, but next steps.

Simison: Council, questions for staff?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I got a question about 4.05.03D and taking the priority regarding public support for preservation of open space as part of a permanent land trust from very high to low. Just want to understand the background on that.

Hood: So, Mr. Mayor, maybe I will start that conversation, too. Unlike Councilman Cavener I did not review the May minutes when we had this conversation and I don't have my notes in front of me, unfortunately. But in talking with the Mayor's Office, because you can see that's one of the main changes, basically, that was proposed was previous community development director, this was something he was charged with doing. City survey has since happened. So, a new director. We have a new -- some -- some newer results from citywide survey. This did not seem to be as high of a priority. So, I won't say it's not a priority. It certainly is a priority for some in our community, but it did not rise to that level of being a high priority. So, it's still in the comprehensive plan, it was just something went from urgently figure out if we can do a foothills levy and, you know, let's -- let's -- to more about, yeah, if there is an opportunity let's explore that, but it wasn't the highest priority. So, really, that's the changes that changed from Community Development to the Mayor's Office and from a very high priority to low. It didn't change any of the words of it, just the order of its priority.

Simison: Any additional questions? Correct. This is a public hearing. We do have one person online and one person in the room. Is there anybody that would like to provide testimony on this item? Got a no there. And nobody online is raising their hand, so do I have a motion to close the public hearing or would you like to continue this for further conversation and discussion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move we close the public hearing.

Cavener: 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 move that we approve the 2023 Comprehensive Plan Policy Update, H-2023-0029.

Cavener: Second.

Simison: Have a motion and a second. Is there discussion? If not -- does this need to be roll call? If not, all in favor signify by saying aye. Opposed nay?

Strader: Nay.

Simison: Five ayes. One nay. The ayes have it and the item is agreed to.

MOTION CARRIED: FIVE AYES. ONE NAY.

Simison: Next item up is Item 9, ordinance.

Hood: Mr. Mayor -- sorry. Brian did have a couple of next steps. He tried to -- but if you don't mind just some of the things on his work plan he wanted to point -- and I know it's late, but if he could have just a minute or two to run through that.

Simison: Yep.

McClure: Mr. Mayor, I will abbreviate. So, we have some mixed use changes coming. I mentioned this before. We have since drafted those. We have been working with some professionals that have helped us to review those. The responses so far have looked positive. I haven't dived into those yet, but those are moving forward. The reason for this change is because our mixed-use areas are frequently missing a lot of the things that we need that exacerbates traffic -- traffic is a big one. Those -- after we work with

them and make changes we are going to be bringing them back out to the broader public and -- and some of our other partners and, then, we will be processing another Comprehensive Plan text amendment for you to review. I will say a lot of that is going to include a lot more graphics. We are proposing a new appendix for the Comprehensive Plan. It's almost all visuals and for that just to help people who maybe don't understand planning -- planner speak to -- to grasp what we are trying to do and, hopefully, we will see some applications that -- you know, especially with applicants who want to do better, they will provide something we are looking for and not having to do revision after revision after revision. So, we are not changing -- we are not changing the vision of the Comprehensive Plan, we are not changing what we are asking for, we are trying to do a better job of explaining that. So, that's the first one. We have additional policy review. So, what we just talked about next year those are going to be more substantial though. So, it has been four years since adoption of the Comprehensive Plan. This will actually look at text changes to -- you know, is that one relevant anymore, should we get rid of it? Are we seeing things that we need to add, because we are missing things that will include more public outreach than what, for example, I just mentioned with the mixed use stuff. We also have future land use map cleanups coming. There is quite a few areas that we can just make that map look a little bit more relevant to what's actually occurring, along with some area of city impact adjustments. Some possible development of sub area work. This is with Economic Development. The big E, big D, also in the Mayor's Office. Some of the focus of as industrial technology and business centers and, then, a plug for The Fields area. That plan is still active, still helping -- personal plug. We are going to need a park out there somewhere before it's all lost, but more to -- for you guys, there is a desire -- part of the -- part of the approval of that document was basically committing to inventory and keeping track of -- of entitlements out there and making sure the development out there understood what was entitled and what we are trying to get, so they can propose something that's in alignment with that. So, when you are reviewing applications for projects out there -- and nothing's been done wrong or -- or gone array already, but when you are reviewing applications out there, just know that we are going to be keeping a list of those on the website so other applications can see those, use them as an example for inspiration and, then, proposals that come into us. So, more transparency there, just because that's what the plan says to do. So, FYI. And happy to stand for any questions you may have.

Simison: Council, questions for Brian on those items?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Robust next steps. That's -- that's a lot. Understanding, though, it is perpetual work intentionally, so very well done and your comment about the -- the illustrations as part of your next steps I think is a really valuable tool. Also for the public. You know, when we -- we do see opportunities to have those illustrations of comp plan principles help educate the public and how the guiding principles try to steer development in a particular area. I know the development community might get it more, but that's

certainly probably part of your -- your review as you develop those is to see how do they benefit from those components in the comp plan, since they seem -- it seems to help inform their use of it when they come participate in these hearings. So, I'm glad to hear you have that on the radar.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I echo that. Thank you, Brian, the birthday boy, Mr. Mayor, you guys are leading with innovation and thinking about ways that you can better communicate to the public and to us and think adding those illustrations and images are going to be a great step forward. So, thanks for thinking of those things. Thanks for leading on those things, all three of you. Appreciate it.

Hood: Mr. Mayor, can I just add real quick on that, so --

Simison: It's your birthday.

Hood: This is my party. No. if you do -- you know, traveling, we are trying -- part of what we are trying to do is to be relatable, too. So, we don't want these exhibits to be from Europe and -- you know, grandiose is fine, but if you -- you know, in the northwest if you are aware of some things you don't have a whole bunch in Meridian; right? But if there is some things where people can relate. Oh, I have been to Bend. I know that mixed use. Send us some pictures. Send us some projects. Those are the types of things we are trying to include here, so it really does bring home what we are trying to do.

ORDINANCES [Action Item]

- 9. Ordinance No. 23-2027: An ordinance (Modern Craftsman Franklin – H-2022-0079) annexing the southwest quarter of the southwest quarter of Section 10, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described in Exhibit “A”; rezoning 11.47 acres of such real property from Rut (Rural Urban Transition) to R-15 (Medium High-Density Residential) zoning district; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date**

Simison: All right. Thank you. With that we will move on to Item 9, Ordinance No. 23-2027. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance related to Modern Craftsman Franklin, H-2022-0079, annexing the southwest quarter of the southwest quarter of Section 10, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described in Exhibit "A"; rezoning 11.47 acres of such real property from RUT to R-15 zoning district; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 23-2027.

Overton: Second.

Strader: Second.

Simison: Have a motion and a second to approve Ordinance 23-2027. Is there any discussion? If not, Clerk will call the roll.

Roll Call: Hoaglund, yea; Borton, yea; Cavener, yea; Perreault, yea; Strader, yea; Overton, yea.

Simison: All ayes. Motion carries.

MOTION CARRIED: ALL AYES.

FUTURE MEETING TOPICS

Simison: Council, anything under future topics or do I have a motion to adjourn?

Hoaglund: Mayor, I move we adjourn.

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

MEETING ADJOURNED AT 10:03 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

_____ MAYOR ROBERT SIMISON	_____ DATE APPROVED
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ATTEST:

CHRIS JOHNSON - CITY CLERK