

A Meeting of the Meridian City Council was called to order at 6:02 p.m., Tuesday, February 14, 2023, by Mayor Robert Simison.

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

Also present: Chris Johnson, Bill Nary, Sonya Allen, Stacy Hersh, Brian Caldwell, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

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

Simison: Council, we will call this meeting to order. For the record it is February 14th, 2023. It is 6:00 o'clock p.m. We will begin tonight's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: We didn't have anyone sign up for the community invocation; correct, Mr. Clerk?

Johnson: Yes, Mr. Mayor.

ADOPTION OF AGENDA

Simison: All right. So, with that we will move on to adoption of the agenda.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move adoption of the agenda as published.

Strader: 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.

MOTION CARRIED: ALL AYES.

PROCLAMATIONS [Action Item]

1. Family, Career and Community Leaders of America (FCCLA) Week Proclamation

Simison: First item up is a proclamation for Family Career and Community Leaders of America or FCCLA. We have a proclamation. Dr. Bub, if you and your team would like to join me at the podium. It's always a fun time to get a new proclamation, especially when they involve -- involve our youth. So, I'm going to go ahead and do the proclamation and, then, I will turn it over to whoever would like to say a few words -- multiple people, perhaps, from that standpoint. But as I mentioned, this is FCCLA Week, so we will do the proclamation. Whereas Family Career and Community Leaders of America, FCCLA, is a national nonprofit, family focus, inner curriculum student organization for family and consumer sciences students through grade 12 and whereas the FCCLA helps youth assume their roles in society through family and consumer sciences education in the areas of personal growth, family life, college readiness, career exploration, leadership and community involvement and whereas the organization extends classroom learning through chapter service projects to develop leadership and employability skills that helps young men and women learn how to plan, make decisions, carry out program evaluations and take action through working with other youth and adults within their school, community and state and whereas FCCLA offers members an opportunity to work together for everyday purposes for the improvement of themselves, as well as their families, careers and communities and whereas the week of February 13th through 17th, 2023, has been designated National FCCLA Week with a theme Incredible. Therefore, I'm, Mayor Robert E. Simison, hereby proclaim February 13th through 17th, 2023, as FCCLA Week in the City of Meridian and encourage the residents of our community to acquaint themselves with the activities and values of Family Career and Community Leaders of America and provide support and encouragement to the students who are working to achieve knowledge and experience that will help them for future responsibilities as active and concerned adult members of society, dated this 14th day of February 2023. So, on behalf of the City of Meridian congratulations on this proclamation and we appreciate you being here on Valentine's Day dressed in red for Incredible. So, we will go and take a picture and, then, turn it over for comments.

Meers: So, we asked to get this proclamation signed as a way to promote the community to help and encourage growth in our FCCLA chapter. We really just wanted

to reach out and encourage sponsorships and knowledge of what we are and what we do.

Grantham: I was asked to be here just to kind of oversee them as our project and I'm really grateful to have this opportunity and I just wanted to thank all of you guys for including us in your agenda and your decisions tonight.

Lauren: As Macie said, we just want to thank you for not only being here to support us, but allowing us to take up your time. But, yeah, we are super excited to have this opportunity. So thank you.

Meers: I'm Tara Meers and I go to Meridian High.

Lauren: I'm Misha Lauren and I also go to Meridian High.

Grantham: I am Macie Grantham and I also go to Meridian High.

Simison: Thank you. And I love Valentine's Day, we are seen wearing red, such an appropriate theme today.

PUBLIC FORUM – Future Meeting Topics

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

Johnson: Mr. Mayor, we did not.

RESOLUTIONS [Action Item]

- 2. Resolution No. 23-2372: A Resolution of the Mayor and the City Council of the City of Meridian Appointing Jared Smith to Seat 5 and Enrique Rivera to Seat 7 of the Meridian Planning and Zoning Commission; and Providing an Effective Date**

Simison: Okay. Then with that we will move on to Item 2, which is Resolution No. 23-2372, a resolution of the Mayor City and Council of the City of Meridian appointing Jared Smith to Seat 5 and Enrique Rivera to Seat 7 of the Meridian Planning Zoning Commission and providing an effective date. So, Council, after a lot of work, a lot of interviews, a lot of time invested by myself, our Planning and Zoning Commission chair, staff, we -- we -- we have found two people that I think really will help round out and provide great direction for our Planning and Zoning Commission. So, the two individuals you -- you have their applications before you. But I will just take a few minutes to -- to -- to chat. You know, I have had the pleasure of meeting Enrique over the last three years and I think that when -- when you talk about community, he -- he really gets it and understands it. It's -- it's a priority and his focus from his kids and their involvement, to how he gives back of his personal time and, then, in his professional role in the -- in the banking industry and understanding commercial banking, that that

has a -- a real value as we are talking about these projects and I don't -- I think it's always, you know, important for Council and others to kind of look at that perspective, have an understanding of what the market is doing. What is feasible. What is not feasible. I think that will bring some real insight to this. But he -- he brings a great perspective that I'm -- I'm really excited to have on the Planning and Zoning Commission. The second one is Jared Smith. Jared is -- you know, he's been active and engaged on our Transportation Commission. In fact, Mr. Hood, when he saw the applications, you know, he gave me his feedback and he said I think he would be a great addition. You know, he's -- he's proven himself on the Transportation Commission to ask -- ask very thoughtful questions and learn and I think that having that Transportation Commission experience will actually be very valuable on Planning and Zoning, because those are issues that are often -- between schools and roads those are two of the biggest issues that we hear regularly and so having that perspective and that background and that dedication, I -- I think it will be another important added benefit and at least in our conversations at this point in time, you know, because Mr. Hood said he would hate to lose him off the Transportation Commission. As of right now he is not leaving the Transportation Commission, he is going to see if he can -- what the workload is in this -- in this juncture. So, we are -- we are -- we are not -- I guess it's kind of like when your kid gets married, you know, you are not losing a child, you are gaining another part of the family and I think that that's what we are doing here. We are -- we are keeping that connection, but we are -- we are growing that. But he -- he -- he's a lot like me in his view of policy. You know, that -- that public policy viewpoint, fair and equitable treatment under laws, under codes, under policies has an important way to help guide appropriate growth and development and to treat people fairly. So, it's with great pleasure that I bring these forward -- two people for your consideration and they are here in the audience. Hopefully, you won't ask them questions beforehand, but, you know, afterwards I'm sure they would be happy to make any comments if you would like. So, with that I will turn this over to you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Thanks, Mayor. I -- I typically try to refrain from comments, you know, obviously, until we have -- we have appointed the people. But in this particular case I just want to commend you. I think these are two great appointee recommendations, two great community leaders that care about Meridian, care about serving our community and I couldn't be more pleased to see these both as recommendations.

Simison: Thank you, Mr. Cavener.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: If nobody else has any -- anything to say, I -- I move we approve Resolution No. 23-2372 appointing Jared Smith to Seat 5 and Enrique Riviera to Seat 7 of the Meridian Planning and Zoning Commission.

Strader: Second.

Simison: I have a motion and a second. Is there 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 and the resolution is agreed to.

MOTION CARRIED: ALL AYES.

Simison: I would invite Jared and Enrique to come up and make any comments if you are so inclined at this time.

Rivera: All right. Well, thank you. I'm Enrique Rivera. It's -- Council, Mayor, appreciate this opportunity and it's -- it's an honor to serve this community and to serve the City of Meridian through the P&Z Commission. So, I look forward to the opportunity and to serving my community and -- and growing Meridian. So, thank you so much for your time.

Simison: Thank you, Enrique.

Smith: Thank you, Mr. Mayor. Thank you. Sorry. Thank you, Council Members. Sorry, I have to lean down a little bit. I -- I'm just humbled and honored for the opportunity to be appointed to this position. I have thoroughly enjoyed my time with the Transportation Commission, getting to hear from the Community and help, you know, solve the issues that -- that people come to us with and getting to learn tons from my fellow commissioners and from Miranda and -- and staff. So, I'm -- I'm very humbled and very honored for this opportunity. I would also like to thank the staff who oversees the Transportation -- or the Planning and Zoning Committee -- Planning and Zoning Commission for their welcoming nature and -- and how much time they have dedicated to getting us up to speed. It's, you know, a different ballpark, especially coming from Transportation as an advisory role to something that has some -- some actual authority in Planning and Zoning. So, it's been very helpful from legal staff to the -- the planning staff. You know, very thankful to the city staff around that and -- and also -- and she's going to not very -- I would like to thank my beautiful wife Mina who is sitting here behind us for her support and I'm sure not at all glares that I'm receiving for calling her out. But thank you so much. I'm really, really grateful.

Simison: Thank you. I'm sure this is just how she thought Valentine's night was going to go, so -- thank you both. Look forward to seeing your work.

ACTION ITEMS

- 3. Public Hearing for Dutch Bros Ustick and Eagle (H-2022-0077) by Andrew Bowman, Barghausen Consulting Engineers, Inc., located at the four (4) lots at the southwest corner of N. Eagle Rd. and E. Ustick Rd. intersection**
 - A. Request: Development Agreement Modification to allow the requested drive-through use by updating the overall concept plan of the approved Development Agreement (Inst. #2019-121599).
 - B. Request: Conditional Use Permit for a new 1,154 square foot, dual drive through Dutch Bros. coffee restaurant on approximately 1.2 acres of land in the C-G zoning district.

Simison: Okay. With that we will move on to Action Items for this evening. First item up is Item 3, a public hearing for Dutch Bros, Ustick and Eagle, H-2022-0077. We will open this public hearing with staff comments.

Hersh: Good evening, Mayor and City Council. The applicant is here to present their project for Dutch Bros, Ustick and Eagle. The applications that were submitted with this were a development agreement modification and a conditional use permit that was approved by the Commission. The site consists of 1.2 acres of land, zoned C-G, located at the southwest corner of the intersection of North Eagle Road and East Ustick. History is there is an existing DA that governs the future development of the site. The concept plan included in the DA depicts four commercial buildings on the site, with associated parking. The building approved at the southwest corner of the site includes a drive through. The Comprehensive Plan FLUM designation is mixed-use regional and the summary of the request is the applicant requests approval of a modification to the existing development agreement to update the existing concept plan. The proposed drive-through is associated with 1,154 square feet of restaurant. Commission approval of the CUP is contingent upon Council approval of a modification to the existing DA to update the conceptual development plan for the site to allow for the proposed development. The proposed -- the proposed amendment to the DA will result in a reduction in commercial square footage due to a smaller footprint of the proposed use. Access is proposed via an existing driveway connection to the shared driveway from East Ustick along the west boundary of the site and a recorded cross-access easement via North Centrepont Way, North Cajun Lane, and East Seville Lane. The access to Centrepont Way to the west is indirect until such time the property to the west develops and direct access via Ustick Road is prohibited. The proposed use is required to comply with the specific use standards for drive-through establishments listed in the UDC and referenced in the staff report. A reference -- a restaurant is a principally permitted use in the C-G zoning district. Additional parking is required for restaurant uses at one space per 250 feet square feet of gross floor area. Based on the 1,152 square feet, a minimum of five parking spaces are required and a total of 14 are proposed, exceeding the UDC standards. Conceptual building elevations were

submitted for the proposed structure as shown. Building materials consist of fiber cement siding, CMU Willamette Graystone, metal roofing, canopy soffit and natural northwestern spruce and glazing. The final design is required to comply with design standards in the Architectural Standards Manual. Commission did recommend approval of the CUP at the January 5th, 2023, hearing. In favor at the Commission hearing was Nick Wecker, for Barghausen Consulting Engineers, and in opposition was none. Commenting was Nick Wecker. Written testimony -- there is none. Key issues were none. Key issues of discussion by Commission for the project were none. Commission changes to staff recommendation was none. Outstanding issues for City Council was none. But I just also wanted to point out as a note that directly to the south of this there was a project approved for Centrepont Apartments and the -- I also wanted to point out another item. The overall site plan on the east side is a little bit different than what's in the site plan for Dutch Bros by itself. There is a patio and that directly connects to the ten foot pathway and there is also a ten foot connection to the north sidewalk as well. And that concludes my presentation and I stand for any questions you may have.

Simison: Thank you, Stacy. Council, any questions for staff? Okay. Is the applicant here? Good evening. If you could state your name and address for the record, please.

Wecker: My name is Nick Wecker and I'm with Barghausen Consulting Engineers. My address is 5951 West Riva Capri Street in Meridian and I'm a senior planner with Barghausen and I'm here representing Dutch Bros. We are the civil engineering consultant for Dutch Bros and I'm working on this entitlement application. We have a -- it looks like I have control here. We have a presentation packet I can share. Okay. Yeah. So, the -- this first exhibit shows the -- the concept plan. It doesn't have the details for the -- for the patio space as mentioned in -- in the staff report, but gives an overview of -- of the modification that we are proposing here to have the Dutch Bros at the southeast corner of the site and also there would be a standalone 4,700 square foot multi-tenant building adjacent to it as well and that is a change from the original development agreement that had both pads shown for retail pad one and pad two. So, pad two would become the Dutch Bros drive through. Pad one would remain multi-tenant retail on a smaller scale at approximately 4,700 square feet. The modification as proposed in front of Council last year had three drive-throughs proposed on the site. We have removed a drive through and now there is only two, the existing Jamba Juice, which is near pad four and, then, pad two, like I said, would become Dutch Bros. This shows the adjacent apartment complex that was referenced in the staff report as -- is a recent CUP approved project and here is our more detailed site plan that shows the vehicle stacking. We have stacking provided -- over 500 feet of stacking that can accommodate up to 26 vehicles in the queue at one time. We have the patio space that will have tables and benches. The opposite side of the drive through window itself will have a walk-up window that is covered by about 300 square foot canopy. It provides weather protection. The walk-up window will be connected to the existing sidewalk infrastructure along Ustick Road and will be connected near the corner as well for Eagle Road as well. It allows pedestrians to reach the walk-up window without crossing drive-through lanes. For comparison purposes, we put together an exhibit kind of -- so that Council can see visually the scope of -- of our drive-through lane compared to a lot of

the existing Dutch Bros locations in the City of Meridian. The old concept for Dutch Bros had one drive through window on each side, so there would be two separate drive-through lanes and as you can see from these exhibits, the locations on Overland, Fairview and Linder have under 225 linear feet of -- of queuing total in comparison to our site that will have over 500 feet of -- of queuing space. This exhibit here breaks down table of -- of the differences. The next closest existing Dutch Bros, aside from the new one on Chinden -- the older model provides only vehicle stacking for 11. The proposed site will accommodate up to 26 vehicles in the queue without any -- any spillover. The other unique aspect of this new model for Dutch Bros as well is the bypass lane is incorporated. The existing older locations within the city do not have bypass lanes and so all vehicles must reach the window to receive an order at the existing locations. This new location will have a bypass lane that allows vehicles to receive their coffee drink order and exit via the bypass lane without getting to the window necessarily and what that allows us to do is be able to get more vehicles in and out of the drive through and minimize the potential for any spillover outside the -- the drive-through lanes. And, of course, there will still be runners -- employees outside the Dutch Bros buildings, part of their operation that takes orders while the vehicle is in line, similar to like the new location if you have been near Costco at Ten Mile and Chinden, it will be a similar operation with -- with the runner system. And, yeah, I thank you for your consideration tonight and I'm happy to answer any questions anyone has.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: A couple comments and maybe a question. Mr. Wecker, thank you. Appreciate the new design and your ability to accommodate more vehicles. Your location off of Milwaukee is kind of fascinating. A couple of the locations are kind of fascinating in terms of what you have to do when you don't have enough queue for people.

Wecker: Right.

Strader: Is this the design going forward for all your locations?

Wecker: Yes, it is. And it's been really successful so far at the -- the new Chinden location in the -- in the Costco shopping center area and it's really -- it's a similar model. I think this one interacts with the -- with the right of way a little bit better for pedestrian walk up, but in terms of queuing capacity, it's right up there with that one and it's more -- more than two times -- more than double any other location in -- in Meridian.

Strader: Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, I have some specific questions about the -- the Dutch Bros project and then -- and, then, some general questions about the site plan.

Wecker: Sure.

Perreault: Can you bring up the slide, actually, where you are showing the site plan for that -- the entire area -- not necessarily with the apartments, but --

Wecker: Yeah. This one here?

Perreault: Yeah. Can you bring up the one that's now currently proposed?

Wecker: Yeah. Be this one here.

Perreault: There we go. Thank you so much. So, is there going to be a pedestrian connection between the parking lot on the east to the sidewalk there on Eagle Road? On the east side.

Wecker: In this pad here?

Perreault: The east side of the development.

Wecker: Oh.

Perreault: Yeah. Is there going to be a walkway on that east side at all?

Wecker: It shows a little bit better on -- on the detailed site plan here and our portion of our -- our patio space here is what's connected to that east side and so via the patio space it's -- it's connected. It's an actual delineated pathway on the north side to -- to Ustick.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, if you are in the parking lot how do you walk to that? How do you get access to that without going through the -- the driving area to get to the sidewalk?

Wecker: Good point. Yeah. So, there is 14 parking spaces. If you were to park in one of these spaces and go to the walk-up window, you would cross this striped pathway here to the patio space and go around to -- to the walk-up window.

Perreault: Okay. Mr. Mayor, I just have one more question.

Simison: Council Woman Perreault.

Perreault: So, with the building that's -- Building A that's a 4,700 square foot building that hasn't yet been developed, it sounds like that could be a multi-tenant building and you could potentially have even like four, possibly five tenants in there.

Wecker: Yes.

Perreault: And depending on what goes in there will depend on the parking ratio. So, if you have a restaurant in there you would have a higher parking requirement than a non-restaurant use. So, if I'm -- most of your parking is going to come from that building and not from Dutch Bros. Is that accurate?

Wecker: That's correct. Dutch Bros mainly is a drive-through oriented use.

Perreault: So, if I was parking on the east side of that parking lot and I needed to walk over to that building on the west side, what's going to be the safest way for me to get there without getting -- I mean that drive aisle there is going to be -- if -- if you have -- if the entrance to the Dutch Bros drive through was on the east side, right, they are going to enter on the east and exit on the west -- is that correct?

Wecker: Yeah. So, they will -- they will enter here and -- and exit right here.

Perreault: Opposite.

Wecker: Yeah. What's that?

Perreault: Sorry. Can you run that by me again? I was of the understanding that they are going to enter on the east side and exit on the west side.

Wecker: No. They are -- they are entering on the west side right here where my cursor is --

Perreault: Okay.

Wecker: -- and, then, the drive-through window is right here and so they will actually exit right here where my -- my cursor is.

Perreault: So, then, you are going to have a lot of -- of individuals driving through that drive aisle -- yes. That whole drive aisle.

Wecker: Yes.

Perreault: So, if someone was parking on the south side of this section, how would they safely get to Building A?

Wecker: It's still -- there is still part primary parking in front of Building A. I understand -- so like vehicles may -- that are entering the Dutch Bros drive-through will utilize this aisle as well, but they will have to watch for vehicle traffic before crossing like they would, you know, any typical shopping center. But there is adequate parking provided in front of Pad A where that someone wouldn't necessarily have to park over here and go all the way to Building A, because we have actually exceeded the parking requirements based on 4,700 square feet of retail and so if there is multi-tenants within there it would still be the same parking requirement, because the building is only 4,700 square feet. If we had to modify that, then, we would have to do another development modification to increase that area. So, the parking requirements remain the same. But there is adequate parking in front of Pad A to serve that -- serve that building.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, parking ratios change if it is a restaurant use versus not. It's one -- one space per 250 square feet versus one space for 500 square feet. So, if you are going to put any kind of restaurant use in Building A your ratio will change.

Wecker: Yeah. But we will still be subject to the parking that is provided. So, if we were to add a use that would demand more parking than this center could provide, it wouldn't be allowed by the Planning Department to have that type of use in this building, because we are subject to only having this number of stalls. So, we would have to do some kind of -- like if this wasn't developed -- for whatever reason we had to do another development modification to show that parking would be adequate for -- like if it's a restaurant or a more heavy generated use, would -- would be in Pad A, then, we would have to modify the development agreement again. But based on our -- our contemplation for retail, it is -- it is adequate to serve Pad A. But we are subject to only this number -- you know, fixed number of parking spaces and, therefore, the Planning Department wouldn't allow like a use permit for a use that requires more parking than is -- is provided.

Perreault: I apologize, Mr. Mayor, I have --

Simison: Council Woman Perreault.

Perreault: -- additional questions. So -- so, maybe I'm not clearly explaining my concern. If you don't anticipate needing these many -- this many parking spaces on the south side of this -- this section, why are they there? I guess I'm not -- my concern is pedestrian safety walking through. If you are -- if you are accessing Building A and you park on the east side of this development -- and apparently we need this many parking spaces, because that's what's being proposed, how is that person going to safely go across that parking lot to access Building A? There is no sidewalk whatsoever.

Wecker: But it's also serving all of these paths together. So, somebody parking here may be going to Building B. Primary parking for Building A is still going to be on -- on the west side and it's really no different than like the Costco shopping center where there wouldn't be a dedicated walkway along this -- along this parking row to get somebody from A to B. So, we provided the -- the number of, you know, crossings per code, but there isn't a requirement per code that I'm aware of that would have us provide a -- a crossing all the way from -- from one side of the center to the other. But we still believe that there is still adequate parking -- primary parking to park in front of Pad A -- that somebody going to Pad A is likely not going to park over here and, then, walk all the way across. There is nothing stopping them, obviously, and there is no dedicated walkway, but it's not contemplated or required per code to provide that. So, they would be walking across along this aisle.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I -- I'm aware that there is not a code requirement. I think you have to have a certain number of stalls or a certain amount of space required. I'm asking -- not asking whether it's a code requirement, I'm assuming that you are going to anticipate having -- that -- that if this was fully parked -- I mean that the spaces are there. So, the parking spaces are intended to be used; correct?

Wecker: Correct.

Perreault: Okay. So, if -- if all of the spaces -- unless you are planning on limiting parking for the multi-tenant building to the south, that they can't park in the parking spots for Building A -- unless you are going to -- to have the parking lot set up that way, you have no control where people park for each individual building.

Wecker: No.

Perreault: You have to make it safe for people to cross across this entire parking lot to go to any one of these four buildings and in this situation I don't see that safe passageway. So, I'm not asking if it's code, I'm asking how does somebody safely get there.

Wecker: They will look --

Perreault: So, my proposal is --

Wecker: -- both ways and when they are crossing the aisle to get to the building. It's -- it's no different than -- than a shopping center, like a Costco, where you are walking to the entrance -- where you are parked a lot further away. I understand the -- the concern, but we -- we haven't contemplated a -- a walkway from -- from far end to far end to Pad A.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: In order for me to be comfortable with a yes vote on this I would like to see some more safe pedestrian passage through here.

Wecker: Okay. And if that's a condition then -- then we can work through it. I'm just saying at this point we haven't.

Simison: Council, any additional questions for the applicant?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mr. Wecker, I think I see where Council Member Perreault is coming from. I guess my question is somewhat similar, but it's just maybe walking us through -- your organization did a great job of doing their due diligence about providing ample space to stack cars and certainly when -- when Dutch Bros first came to Meridian we weren't aware how popular these locations are and so I -- I commend you for doing your due diligence about getting cars in. I think that part of my concern I think -- I think where Council Member Perreault is coming from is just the safety as cars are -- are leaving and so some of this may already be decided, I'm trying to figure out as cars leave where they should go and where they would go and I -- I would assume that the intention is that they -- they exit and maybe they follow maybe right where your cursor is and they exit out. That brings one, two -- I think three conflict points as they are exiting. Maybe the idea is they go up a little bit higher kind of by -- I guess where number 16 is and exit out. And I apologize I'm -- I'm kind of rambling a little bit. I'm trying to more think out loud as I'm talking to you, but those -- those two islands by the number 16 seem to have made a little more sense with the previous site plan, but to me don't necessarily make as much sense with this current layout. Did -- did your organization -- I mean wrestle with any of this? I mean help me understand why this is the best configuration to move, you know, what's going to be a lot of cars kind of the longest distance for this particular parcel to get back out onto Ustick Road.

Wecker: It provides -- it provides some flexibility. I think what we had previously showed in our initial submittal that didn't make it to Council was -- was parking all the way across, but staff had -- had commented that they would like to see less parking provided on this site and so we had turned it into a drive aisle here in this middle part. But I would -- I would -- for the majority of people leaving Dutch Bros I would assume that they were going to leave as my cursor -- following my cursor here, because that would be the most direct way out, whereas people entering likely are going to go this way into the drive through.

Cavener: Mr. Mayor, maybe a follow-up.

Simison: Councilman Hoaglun. Sorry. Councilman Cavener. Sorry.

Cavener: That's okay. Great compliment. Thank you, sir. That drive aisle by the number 16, why not relocate it to where the entrance is to the stacking lanes? That seems to benefit the -- the Dalton Royal. Clearly if I'm exiting the Jamba Juice I don't need to access that drive aisle to go anywhere, unless I'm going to Dutch Bros. But that drive aisle, kind of where the -- the property lines meet, seemed to be a -- a more efficient way to move vehicles and ensure less conflict points as people are exiting.

Wecker: Yeah. Just for clarification are you talking roughly here?

Cavener: Yeah.

Wecker: Yeah. And I think the issue with that was -- was Building E and tenants not wanting to have that in that location, because, then, there would potentially be vehicles in front of their -- their ADA stalls and their primary parking in front of their building and so that was a note of concern from them. So, that's why it doesn't follow that general flow to not encourage vehicles to go this way.

Cavener: Yeah. Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Yeah. Mr. Wecker, just -- just -- I think some -- some feedback. I appreciate where the -- the applicant or the owner of Building E is -- is coming from their business. I -- I tend to -- I guess for me place traffic efficiency and, therefore, traffic safety above maybe their proposed needs. I -- I'm not quite sold that this is -- that is the right drive aisle location for this particular project. Just for consideration, the thing that -- another consideration with that, too, as well, is if you are starting the queuing here and let's say in the event that Dutch Bros was -- was busier than -- than this queuing can handle, then, you actually have a longer queue not having people stack up here, which could also impact our driveway onto the right of way. Whereas, one, this is a longer queue and -- or, two, we can have operations have vehicles go around this way and be able to stack this way into the wash -- or into the -- into the entrance to the drive through and so I think that's another consideration as well, rather than having the entrance delineated here.

Cavener: Yeah. And -- and, Mr. Mayor, if I may, just some feedback.

Simison: Councilman Cavener.

Cavener: I hope that doesn't happen. I think -- I would hope that your due diligence to having this extended drive aisle solves that. But to your point, particularly probably opening weekend there is going to be a -- a line all the way down Ustick for people to get in, but I would much rather have cars stack up on a drive aisle than stack up in front of a business or in front of these parking spots. And, again, I think you have -- I think

you have cracked the nut on entering this facility. I just -- I don't think that you have been as successful in addressing how vehicles are going to exit.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Wecker, could you -- let's talk about the exit there between Jamba Juice and the American Family Care Center. If you can show a bigger picture -- if they -- instead of going back to Bourbon to go out to Ustick they want to go farther south as that develops, so they can get onto Eagle Road -- yeah. Coming out -- nope. They are going to come right between the Royal Dalton and the American Family care -- whatever that is. The care center.

Wecker: Yeah.

Hoaglund: Yep. So, there is that parking lot between the two buildings and it looks like they can exit -- that is going to be planned to be going -- continuing south right there. Now, if you head down -- yep. There we go. Now, what will that go to in -- in the future?

Wecker: I think -- yeah. Previously. But with the apartment CUP that is no longer contemplated for cross-access and so you can see a little bit of landscape strip on that -- on that previous version that -- that would not have, you know, cross-access between both developments.

Hoaglund: Okay. So, the only way then, Mr. Wecker and Mr. Mayor, is to go back out to Bourbon and, then, head south and, then, come --

Wecker: Correct.

Hoaglund: -- around if you want to exit to Eagle Road --

Wecker: Yes.

Hoaglund: -- and head south. Okay.

Simison: Council, any additional questions for the applicant?

Cavener: Not right now.

Wecker: I would like to address the -- your consideration for the -- as we have been talking more I have been thinking more about somebody parking here. We could make consideration for, you know, having some kind of walkway along here, so that it directly connects both Pad A and Pad B. So, it does look like, you know, some kind of

connection there is feasible as a condition of approval to be able to incorporate -- incorporate that.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: If this wasn't going to be such a heavy use drive through it wouldn't -- it wouldn't be as big of a concern. So, you -- you are saying it's not in code and you are kind of comparing it to other -- other areas of the city, but this is going to be your flagship location and it's going to have very heavy drive-through use, which means there is going to be more vehicles moving, but not in stalls in this parking lot than there might be another parking -- in other parking lots. That's my concern about pedestrian safety. If it were me I probably would -- up to the north is good or potentially some kind of walkway in between where your cursor is on that dotted line -- a walkway in between like a lot of the grocery stores do -- in between that set of -- but, you know, my main concern is individuals walking past where cars are turning left to go into the -- into the drive through.

Wecker: Sure. We can -- we can definitely look at -- look at that, too, either -- in either situation on the north or in between the stalls. I think -- you know, another consideration, too, as well -- most vehicles exiting are going to go around this way. So, if someone's parked here, this drive aisle here is not going to be nearly -- as nearly congested as -- as -- as here where vehicles are -- are likely exiting. So, if someone was parked in these stalls here, this drive aisle is not going to be the most, you know, congested aisle operationally. If you are following me with that.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. I am following you. But at some point they will need to cross over where vehicles are stacked up, which is where the vehicles are turning left into the drive aisle they are going to have to walk through that area to get to Building A.

Wecker: Sure. I understand. So, we can look either on the north side or -- or splitting for -- for additional pedestrian crossings.

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

Johnson: Mr. Mayor, we did and I'm not sure it's on the correct list. Tony Brownlee. Were you here for this? Okay. Thank you.

Simison: Okay. Is there anybody that would like to provide testimony on this item, either in person or online you can use the raise your hand feature. We do have someone on line -- you can sit down.

Wecker: All right. Thank you.

Simison: Yep.

Johnson: Mr. Mayor, Lincoln is available to talk.

Simison: You're not on video, but if you can state your name and address for the record.

Hagood: Sure. Lincoln Hagood. 5700 East Franklin Road, Nampa, Idaho. 83687. I'm the commercial real estate agent that's representing Dutch Bros. I just -- keep it simple. You know, I -- well, I hear all the traffic concerns and that. I -- I just from a business perspective I just would like to share that the operators of this Dutch Bros are very invested in the community and have gone to great lengths to invest in the kids of our community and I just wanted to share that there have been a lot of really positive experiences from many organizations from their interactions with this organization. So, I just wanted to share that.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Thanks. Lincoln, you -- you saw fit to share that, so I guess now -- now I'm -- I'm kind of perplexed. Is that your insinuation that because the owners of this property do a lot for our community that we should not -- we should ignore the -- the traffic concerns? I don't think that's what you are intending, but that's how it came across. I guess I wanted to give you an opportunity to clarify.

Haygood: No. No. I apologize if that was the insinuation. And to be clear, the -- the Dutch Bros is a tenant on this building. They are -- they are not the property owner. No, I -- I'm just indicating that they -- they do a lot of investment into the kids of the community. That's all.

Simison: Council, any additional questions for this individual? Is there anybody else that would like to provide testimony on this item? Then I would invite the applicant back up to close.

Wecker: Yes. I want to thank you for your time and consideration and this is a location that Dutch Bros is really excited about and looking to add one of their -- one of their new prototypes again to the City of Meridian and I just thank you for your time.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Don't go too far. I -- I guess a question I would have -- if you could come back up, Mr. Wecker. Sorry. We are done with the question part usually, but, you know, given the feedback you have heard -- and there is a little bit of a concern, but I think there was a really constructive suggestion which was, you know, a lot of our grocery stores, like WinCo, have kind of a small pathway in between parking stalls for people to traverse the parking lot, but it sounds like you have an idea to the north that could work as well. You know, in light of the feedback from a couple of council members, you know, would you like a continuance to sort of tweak your plan and, then, come back, as opposed to having us render a decision tonight or -- just wanted to get some feedback before we close the whole public hearing and --

Wecker: Yeah. I think that -- this is a concept plan that we are -- we are trying to get approved for a modification to a development agreement where there is definitely something that could be conditioned that we work with staff to accomplish either in between this double row of parking or on the north side to be able to -- to adequately address getting customers, if they are parked over here, across the development to -- to proposed Pad A, while minimizing conflict and isolating them from -- from our vehicle traffic. So, I would propose more that it be a condition, since this is a -- a concept plan.

Strader: Mr. Mayor?

Cavener: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just -- people who know me really well know I'm a control freak, so I usually like to have more certainty around what's going to happen. But, yeah, that's good feedback. We could ask -- we could -- we could debate about that I guess. I think somebody else was trying to talk as well. But, you know, if this is something we want to see, I feel like this is the decision point where we can sort of compel that condition, but I don't know how it would come back before us; right? Like if -- if you decide it's not feasible for some reason to do either of those things, you know, I'm not sure how that -- how that would come back. Mr. Mayor, I'm kind of looking at Legal. I mean it -- you know, if we put in a condition that we would like to see some sort of improvement in the pedestrian connectivity, how would this come back before us if we approve it tonight?

Nary: So, Mr. Mayor, Members of the Council, Council Woman Strader, so if that's a condition that's part of the CUP, if they can't meet that condition, then, the CUP can't be issued. So, they would have to, then, come back and say we have tried, here is why it won't work, here is the -- here is the engineering, here is the traffic study or whatever that would be to say why it doesn't make sense to put something here when there is this or whatever. But, yeah, you would have to see it again, because staff couldn't approve it. They couldn't issue the CUP and the CZC to get -- to get a building permit without it. So, I think you can condition that there needs to be pedestrian access that goes from the east end of the Dutch Bros property area where the parking is -- that has to have a pedestrian access pathway of some type from that end to connect to D -- or, yeah, to

the other building. The only thing -- I mean there is no way to avoid it crossing the drive through. But that's -- you know, again, it could be marked, it could be signed. I mean it certainly -- we -- we have them. So, it's not like this isn't done.

Strader: Thanks, Bill.

Simison: And maybe I will -- I don't want to -- I'm going to throw a -- I don't know what it is. But the -- but to -- if the building was flopped and you had all these seating on the interior, so you had the drive lane going on the outside with the building on the inside, that would seem to comment -- at least address some of the issues that we are hearing about crossing, because you can -- you could design this so you did not have to cross traffic to get to the building, just access from the parking lot and you -- you have space. Food for thought. I don't know if there is something in our code that would prevent the stacking lanes to be on the roadside of the facility and, then, I don't disagree it's a drive aisle to nowhere, unless it needs to be there for access to the trash chutes for some reason. There really is wasted space in this, in my opinion. Whether it was more parking or something else that it could be better with that middle section, but --

Wecker: You are speaking of wasted space.

Simison: Yes. That -- yeah. I don't -- I don't know who is going to use that for what purpose and if say the Dalton Royale was more popular I would hate to have like space that just sits there empty, because no one is going to drive through there to access anything and where -- where does it go with the four in all reality. But that's -- I just think more parking can't hurt in my opinion, so --

Hoaglun: Mr. Mayor?

Overton: Mr. Mayor?

Simison: I got three Mr. Mayors. Let's go to Councilman Overton, who hasn't spoken.

Overton: If my voice holds out. First off to the applicant. I'm a very big fan of Dutch Bros, but to -- to go a little further on what Councilman Hoaglun said, when I first looked at this plan -- I mean amongst all the other concerns that have been brought up on safety, I assumed that we had a one way in and another outlet to the south. So, now if I'm understanding what I'm looking at is amongst all the traffic that we could end up with and stacking issues that could go back to the main road, even to Ustick, there is only one way out -- one way -- one way out, one way in. Is that correct?

Wecker: Correct. So, this would be the -- the entrance and -- and the exit.

Overton: Yeah. I don't know that I'm -- I think with that much traffic lining up for a very very popular coffee shop, I'm not sure that I'm a big fan of having the proposed only way in could end up being blocked in case something happens at any one of the other buildings.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor, Mr. Wecker, I -- I'm pretty sure Dutch Bros wants this site because you are at the corner of Ustick and Eagle Road at a very busy intersection and it's a lot of eyeballs that are seeing that brand, which -- which is a good thing. I get that. But as the Mayor talked about that island to nowhere, the drive aisle with the two islands on either side, have you guys looked at making that -- you still come in from Bourbon, take a left, enter in the queuing for the building and you flip out Building A to where the Dutch Bros is now, flip the Dutch Bros over there, they wrap around, come out where you got I think the dumpsters down there in the corner -- pop out there and, then, they got a quick right and right to -- to get out. That eliminates the conflict I think Council sees with Building A and having to cross all that traffic. So, now it's in the far corner away from that island and the drive aisle where people are coming in and, then, you mitigate the traffic leaving to -- to flip to -- to come out from that -- that area. However, I understand, you know, Dutch Bros, you know, wanting that premium space right at the corner, as opposed to down there, because it's -- it's -- it's less seen. But to me that takes care of the conflict of pedestrians down in that northwest corner having to cross that traffic. You put everything -- you put that retail up here and it's beyond that island and there is less -- less conflict. You still have a line of cars coming in to turn left, but you got a line of cars coming out now and it just kind of flips -- flips the concept of the in and out on that, but reducing that to always conflict for Building A. So, something -- something to think about. I don't know if that solves it, but --

Wecker: Yes, that would require -- if I'm following it correctly, that would follow -- that would require the drive through lanes to be between the building and Ustick; correct? To be on the --

Hoaglund: For the driver's side, yeah, it --

Wecker: Yeah.

Hoaglund: -- would come out on that other side.

Wecker: Have to defer to Planning if there was an issue with having drive through lanes between the building and the street, but I think that's kind of what initially set the building location was having -- was that issue where we couldn't have drive through lanes or parking between the building and the street and so, therefore, it set this as the -- the building location to -- to frame that intersection and that edge. Otherwise, the cars would be picking up on the wrong -- wrong side.

Hoaglund: Yeah. I wonder if it -- Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: It's a setback issue or if it truly is -- because I know there is other locations. I'm thinking of your one on -- on Linder I know you have a drive aisle that you see from the street. You got the landscape, sidewalk, drive aisle, building and, then, your other one -- other lane comes on the other side, so --

Wecker: Yeah. It's a different zone. It's a -- you are talking about the one on Linder; right? That --

Hoaglund: Yeah.

Wecker: And that one's been there for a while.

Perreault: Mr. Mayor?

Simison: Council Woman.

Perreault: Have you had any conversations with the owners of the building for the care center to the south that they would, then, have multiple vehicles passing by the front of their facility as they are exiting that will potentially cause issues for their customers to back out of those parking spots?

Wecker: Yeah. And maybe the -- Leo, do you want to speak to that, conversations with other tenants for approval of the --

Perreault: I was under the assumption that -- that the northern drive aisle would be what all the vehicles would be using and it would be two lane and that they wouldn't be coming in using this southern drive aisle, because that would be really for the benefit of the southern tenants.

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

Betz: Hello my name is Leo Betz with Wadsworth Development Group and my address is 1247 East Stringham Avenue, Salt Lake City, Utah. And to answer your question, the concept plan has always had two drive aisles and several drive-throughs in the front portion of the site. So, when AFC did the deal with us there was always an idea of there is going to be some traffic coming from what's approved out front.

Hersh: Mr. Mayor?

Simison: Yes, Stacy.

Hersh: Council Members. There isn't anything in code that prevents the drive aisle for fronting Ustick. So, we have that on Costco as well. It's the same -- I believe almost the same elevations on that. We could mitigate it with landscaping. I would just need to double check this development agreement to make sure there wasn't anything about

hugging the corner -- for that building to hug that corner or, again, switching, like Mr. -- Councilman Hoaglund had suggested -- the buildings as another option.

Wecker: Having multiple pre-app meetings with -- with planning staff it was understanding that the building needed to be in that -- in that location, but --

Hersh: Mr. Mayor, Council Members, I'm -- yeah. And, I'm sorry, I was on part of those pre-app meetings. I'm -- kind of took over the project for another planner that left. So, just trying to come up with ideas for you.

Wecker: But, again, I am -- I am confident we can address it through pedestrian, isolated sidewalks that are -- that are raised from -- from the drive aisles that either split that double parking row, which sounds like that would be more favorable to Council or even along the -- on the north side here connecting kind of the sidewalks that you see -- my cursor is not moving. There it is. Here and here where it would just come, you know, across here. You would have a striped crossing kind of similar to what we have here. We could delineate with different paving material. We could just stripe it. We could do both. But having a walkway here that connects directly to Pad A. So, those are two options I see to be able to minimize the interaction between pedestrians and -- and vehicles within the drive aisles.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I -- I had -- had thought about the same solution as -- as Council President Hoaglund had mentioned about flipping the buildings and just was under the assumption that that wasn't what your -- what Dutch Bros was wanting to -- going to be willing to do because of the visibility. So, the second thought was to create the pedestrian safety. If you run it along the north side there, just a lot of concerns about crossing across that -- you know, across those stacking lanes, but at least the vehicles will be going slowly and that might be a safer spot. I would rather have it be on the south side of where that purple dotted line is, but, then, the issue, of course, becomes when they go to head north on the very west side they are still going to have to go across the drive aisle again. So, if you go over -- yeah. When you are over there I don't know where there would be a safe place to cross, because that is going to -- you know, that section -- and I feel for whatever tenant you have in there, because if you are going to have vehicles turning into that area of the driveway constantly to get into the drive through, there is just going to be struggles with parking, people pulling in and out there for whoever that tenant is going to be and, then, if you are bringing pedestrians through there, then, you have another conflict. So, I will let you redesign that and figure out the safest way. But I -- I think there is just going to be a whole possible slough of challenges in that -- in that whole section.

Wecker: I understand that concern. I think we could have a crossing here as well, because we wouldn't have it, you know, here anymore, because we wouldn't have the

walkway here. That would be the other option. So, we could connect potentially here to the -- to the walkway running between both bays. So, there is a potential solution there, too.

Borton: Mr. Mayor?

Simison: There he is. Councilman Borton.

Borton: Just taking it all in. The -- the comment about the -- the little drive aisle in the center of this entire parking lot that you would -- if you could put your pointer on that -- that kind of -- or not the drive aisle. Excuse me. The little center -- two islands where you could drive in between them. Right there. Bingo. Why wouldn't that feature move to the west and be the feature that channels traffic into the two drive aisles in the Dutch Bros?

Wecker: Yeah. And the concern with that was -- was vehicles starting their queue here in front of this multi-tenant Building E that already has tenants and has been approved and that was a noted concern from them as well. Also operationally it starts the queue closer to the driveway than -- than Dutch Bros would ordinarily like and so having it not be such a direct way into the entrance from here was -- was, you know, favorable to Dutch Bros and -- and these multi-tenants down here for -- for Building E. So, that's my understanding is to why it wasn't, you know, shifted over into this area.

Borton: So Mr. Mayor?

Simison: Councilman Borton.

Borton: Just based on that, you -- you got 500 feet of queuing. If you are -- you are -- you are going to have both of those drive aisles full rarely, if ever I would think, based on the statistics of how your others are designed. That's what I would have assumed the reason for this design. So, that kind of surprises me that -- and if -- and if the drive aisle encourages queuing back into -- or whatever we are calling that -- that small feature, if it moves left and, then, queuing goes into it, if queuing -- if there is that many cars that are going to queue backwards, they are going to be there one way or the other and it just seemed like a -- even if it's rare say for feature than having them snake around parked cars -- I'm just surprised to hear you say that you anticipate 500 feet of occupied queuing in a Dutch Bros, but I have been to -- been to everyone you pointed out and I have seen five, six, seven, which is a lot.

Wecker: Yeah. There has been so much sensitivity with Dutch Bros around how they handle their queues that we tend to be really conservative now with our designs. But, for instance, the -- the -- the Dutch Bros in the Costco shopping center has been open for a little while. Hasn't really had -- they have around 500 feet of queuing as well. They haven't really had this same spillover incidents as like the Linder location, obviously, because just the queuing -- the difference in the queuing capacity. But it's been such a sensitive topic with the City of Meridian and other communities as well

because of how popular Dutch Bros is that we -- we tend to be conservative to -- to make sure that we are maximizing our queuing potential and minimizing the potential for -- for queuing onto public right of ways.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: So, my thoughts on this -- you know, it's -- it's entitled, it's got a DA, it allows for a second drive through on this project and the CUP tries to address how in the world can you get any type of drive through establishment here that -- that checks all the boxes? This is probably as close as you can get. We could add conditions to the CUP tonight that talk about pedestrian connectivity and -- and some of the additional features we want to acquire if something like this got approved, but if -- if Council isn't looking to see a drive through on this portion -- the northeast portion of this project, if this one doesn't do it I don't think anything will do, quite frankly, and -- and we should give direction that says a second drive through, if it's going to exist, has to be on the west side, somehow, someway and it can never be over in this northeast corner. You can't get anymore queuing than this. I mean I think you have done a really good job trying to make this drive through right, attractive, and facilitate as much traffic as possible. There is no more space and if this doesn't do it, you -- I don't see how you -- anybody ever has a drive through on this portion. The only way would be on that northwest side. That's my take on it. So, I thought -- I thought you had done a really good job with -- some conditions could be added certainly to -- to enhance some of the pedestrian safety and connectivity, but beyond that --

Wecker: Appreciate it. Thank you. And -- and we do feel that northeast side is -- is really actually more accommodating of a drive through, just because of the distance to -- to the right of way, where if you put -- even if it's not a -- a Dutch Bros, you put any drive through at the northwest corner, it's -- it's also close to -- to Bourbon Street and -- and to Ustick as well. So, that was a consideration of the -- of the owner I know as well.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I know you're an engineer, so I don't know if you know about the operational hours, but do you know -- it would seem to me that the peak would be mornings for this sort of thing. Do you know the peak hours for usage for Dutch Bros?

Wecker: Yeah. It's -- it's -- it is morning. It's 7:00 to 9:00 a.m. is where we see the most -- most -- have the highest volume. But also 3:00 to 5:00 p.m. kind of comes in second, but it's not quite as high as -- as the a.m.

Hoaglun: So, Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. I figured the morning would be the biggest and by 9:00 where it's dissipated a bit -- and if it's retail that are nearby, they usually typically open 10:00, maybe 9:00, but oftentimes 10:00 a.m. So, that kind of takes care of that major problem for that.

Wecker: That's true at this point. Yeah. And it's -- mainly it's a pass-by type use, rather than a destination use. So, when people are on their way to work that's when they are -- they are stopping by.

Hoaglund: And -- and Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: It was two weekends ago, though, we used the Linder -- not Linder. I'm sorry. The one -- new one at Costco. Saturday afternoon. And we were one of two cars for our afternoon pick me up, you know, to do our errands. So -- and the runners were right there and we were on our way real quick. So, you know, if people are doing a Saturday type of thing I think it's a little more sporadic and with the system that you employ that certainly helps cars move and not get queued up. So --

Wecker: Yeah. Thank you. Appreciate it. Yep. I was there Saturday afternoon as well. But, yeah, the runner system really helps having -- having two drive through lanes on one side. It -- just things move a lot more efficiently.

Hoaglund: Yeah. And one last comment, Mr. Mayor.

Simison: Councilman Hoaglund. The one on Linder Road, being right next to Rocky Mountain High School, there is a reason why there is lots of cars there.

Wecker: Yeah. Yeah. And not much distance from -- from driveways or the right of way.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, in regard to what Council Woman Strader shared, I like to have as close to what's actually going to be done as possible in concept form with our DAs, so that our public really understand what's going to happen. So, when we add a condition in, but we don't modify the concept plan to reflect that condition, a lot of times folks aren't reading through a DA contract to find one small condition, they are just looking at the concept plan, because that's what they are familiar with doing. So, my request would be if we are not -- my preference would be that we -- we continue this, have it -- have the plan modified and, then, approve it again. But if that's not what other council

members are preferring to do, my request would be at minimum that the applicant update the concept plan before it's recorded with the DA to reflect where that pedestrian activity was going, so there is a visual of it. I -- I would love to see it before we approve it. That's always my preference, as Council Woman Strader mentioned. But at minimum if we go that direction I would like to at least have it done, so that it's something that's a public record.

Wecker: I agree with you in that concern for the DA. I think my potential possible solution to that would be conditioning on the CUP as well, because, then, that doesn't allow Dutch Bros to obtain a building permit until those conditions are met and so it's a lot more visible than a DA, like you mentioned.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I think I have come around on that -- that thought as well. It feels like we have plenty of teeth after Bill gave that input. I would be okay with having that as a condition. They work with staff and, then, I think it will come together.

Simison: Council, what's your direction?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: If there is no other testimony, I move that we close the public hearing for H-2022-0077.

Strader: Second.

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

MOTION CARRIED: ALL AYES.

Wecker: All right. Thank you very much. Have a good evening.

Perreault: Mr. Mayor, if there is no more discussion I'm going to make a motion.

Simison: Council Woman Perreault.

Perreault: I move that we approve the development agreement modification and conditional use permit request for H-2022-0077 with the following requirements: That a pedestrian safety plan be put together and reviewed by staff and that that's a condition

of both the DA mod and the conditional use permit and that there is a forthcoming -- a concept plan update to reflect that condition that will be recorded with both documents.

Simison: Do I have a second?

Strader: Second for discussion.

Simison: I have a second for discussion.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I'm just wondering if Council Woman Perreault wanted to specify -- that would include working with staff on adding pedestrian access from the east end of the parking lot to connect to Building A.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Yes. That -- that is great clarification. The first agrees.

Strader: Second agrees, too.

Simison: First and second agree.

Hoaglund: Mr. Mayor?

Simison: Discussion? Councilman Hoaglund.

Hoaglund: Question. For -- for that connection where you are looking on the north side or -- we will call it the pink dotted line access. Was their preference there?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: My preference is on the dotted line and, then, heading north. However, I suppose that could significantly affect the entire design and so I think I will leave that to the experts. But my preference is to have it run on that purple dotted line. To me that seems like it will keep the pedestrians out of the drive aisle the most. But, again, I don't know how much that will end up really modifying the number of parking spaces that they have included.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: To comment. Yeah, I agree with you on that. But, yet, if you are willing to look at options, I'm -- I will be willing to look at options, too, so --

Hersh: Mr. Mayor --

Simison: Yes, Stacy.

Hersh: -- and Council. I have a clarification question. So, the facts and findings come prior to a DA being recorded. Would we like them to update the concept plans with the facts and findings that come to -- over to you to sign or with the DA? Because typically we do the facts and findings with those types and the plan should match.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Sonya is shaking her head yes. Given she's been with the city many years I think the answer is probably yes. Does that mean, then, that I need to update my motion?

Nary: Yes.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Would you like me to restate the whole motion or just modify it to say that the concept plan needs to be updated prior to the recording of finding -- findings and facts?

Simison: That works for me if the second agrees.

Strader: Yes. Second agrees.

Simison: Okay. Is there further discussion? Then I will ask the Clerk to call roll.

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

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

MOTION CARRIED: ALL AYES.

4. Public Hearing for U-Haul Franklin (CR-2022-0008) by Hillside Architecture, PLLC., located at 1030 W. Franklin Rd., on the north side of W. Franklin Rd. halfway between N. Linder Rd. and N. Meridian Rd.

- A. Request: Council Review of the Director's decision on the Administrative Application (A-2022-0232) to restrict Franklin Rd. access to emergency access only.

Simison: Council Woman Strader, would you like to break now or would you like to -- okay. With that we will move on to the next item. Item 4, which is a public hearing for U-Haul Franklin, CR-2022-0008. We will open this public hearing with staff comments.

Hersh: So, the applicant is here to discuss the U-Haul Franklin Council review application that was submitted. The site consists of 4.044 acres of land, zoned I-L, located at 1:30 West Franklin Road. History on the project is there a certificate of zoning compliance and design review was approved for an 11,204 foot -- or 2,004 square foot U-Haul U-Box storage building. The Comprehensive Plan FLUM designation is commercial and a summary of the request is the applicant has submitted a request for City Council review of the director's decision to allow full -- allow full access in lieu of the emergency access only via West Franklin Avenue as shown on the site plan, which is in the center. Per UDC, where access to a local street is not available, the property owner shall be required to grant cross-access ingress-egress easements to adjoining properties unless otherwise waived by City Council. Access is available via a shared driveway along the site's western boundary from Franklin Road. Access to Northwest 10th Street, which is on the east, cannot be obtained, because there isn't adequate distance from the intersection to allow local street access due to ACHD policy and, therefore, a viable local street access is not available and there is not written testimony on this and that concludes the presentation and I stand for any questions.

Simison: Thank you. Council, any questions for staff? Okay. Good evening. If you could state your name and address for the record, please.

Gulash: Absolutely. And I believe I have a presentation I think she can pull up for me in a second. My name is Brett Gulash. I'm with Hillside Architecture. We are at 345 Bobwhite Court. That is in Boise, Idaho. 83706. I will wait for just a second. Thank you all for being here this evening on Valentine's Day. Awesome. I will keep it pretty short. I think Stacy kind of addressed the items really quickly. There is kind of an opening statement -- opening kind of place. This is proximity. So, this is City Hall. This is the location on Franklin. I think this is really kind of the meat and potatoes of the presentation. I would say the -- you know, the -- the two items are really kind of -- you know, this is kind of reasons for appeal -- kind of health -- health and safety. Fire Marshal recommendation. You know, the site has to have two separate access points and unobstructed access is preferred, but, you know, an -- an emergency access only is acceptable as well. But I -- I do want to point that one out. The other is ACHD provided

their recommendation. You know, staff recognizes the need for additional access to the site for circulation and secondary emergency access and, then, you know -- and I think what they -- kind of I think where they have worded it really well is they didn't give a blank check to this. What they said at the end is kind of this driveway is approved as a temporary full access driveway and may be restricted in the future as traffic conditions warrant as determined by ACHD. So -- so, they have given us kind of full access, but they have also recognized that it's not a guarantee and that's something that they want to have that -- the teeth to be able to reevaluate later if there are concerns or if, you know, as the city develops and as things develop on -- on Franklin. So, kind of -- this is kind of just -- just the -- the -- the kind of pieces and parts of kind of the rationale of why we did the appeal. You know, undue burden, financial hardship and kind of investment backed expectations. You know, U-Haul purchased this property and as you can see in the plan, you know, they had the expectation that there were -- there are two existing access points. One -- let me see if I can -- one kind of where the orange circle is and, then, one kind of to the right, kind of where the Building B is, kind of midway between the orange circle and 10th Street, as well as these shared access agreement. So, you know, U-Haul kind of purchased the site looking at it logistically, kind of how their circulation would move and flow and -- and they kind of had the expectation that they would abandon one entry access off Franklin, but, then keep one of those entries. So, you know, that -- that does negatively impact the property, the vitality of the site and the internal circulation, so -- oh. More. You know, again -- and just wanted to circle back on the ACHD recommendation. There was a clerical error on our part where we located the access at the -- kind of existing curb cut where one of those was. As you see in kind of that little orange arrow, which points over to the right, we have been working with ACHD to kind of fix this. We have now since located it at 370 feet from 10th Street and kind of to the west of 10th Street. That places it more or less in the center of those areas. So, if you are -- you know, 10th Street equal distant to about our access drive and, then, equal distant to the shared access on the west side. So -- oh. The requested outcome, you know, we look forward to working with the City Council and city staff to kind of remedy the situation with a solution that provides kind of a win-win for the city and the applicant. So, with that I kind of stand for questions.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just so I understand. So, ACHD is now on board you are saying. You have correspondence with ACHD approve -- approving the location of the direct access to Franklin 370 feet from 10th?

Gulash: So, Mayor, City Council, Council Member, City -- ACHD has always been in favor of the access off of Franklin. So, that's kind of always been a guarantee. Their location was different than the existing curb cut, but they have always been in compliance -- you know, kind of in agreement and that's kind of where I quoted their

original report from that and I guess where it really comes down to is ACHD has the -- made the allowance and I think -- and staff I think can clarify -- I believe it's in the -- it's -- you know, it's part of the city -- well, I will let Stacy speak to it.

Hersh: Mr. Mayor, City Council, so ACHD staff report was actually submitted with the CZC and design review of this product and not part of the City Council review. They did say that they were okay with a temporary access that may need to go away in the future, warranting what type of traffic is on Franklin Road, but they did say to get rid of the curb cut off of 10th Street and the two that were existing and to put that one in the center. But it does conflict with our UDC code to have multiple accesses off of arterial roads. That's why we suggested or -- or conditioned the CZC and design review report to only allow it for emergency access only with a gate. Fire was okay with that, although they would prefer it to be open, because it is a three story building and they want multiple accesses to be able to get in faster.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I was just trying to rectify -- or make sure I understood ACHD's approval, because in their district policy 7205.4.7, driveway spacing on principal arterials policy, because we have had this come up before and they say, no, if you have access to a collector that's what you have to use, as opposed to an arterial. So, I'm -- I'm kind of -- if you can clarify that -- that would be helpful if -- if there is a reason for that.

Hersh: Mr. Mayor, Mr. -- Councilman Hoaglund, their report -- so, it did have that language on it, but they understood that they couldn't have a secondary access off of Northwest 10th Street, so it was provided in the center of -- of -- on -- off of Franklin. They were okay with that access until such time that they deemed that it's warranted to remove or not. But that language is actually in the staff report and I know it's not part of this staff report for you to read, but it is -- is part of the -- the administrative level application.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Follow up, Stacy. Then do they define what -- what that traffic level is or it's just at their discretion deeming it that needs to go away?

Hersh: Mr. Mayor, Councilman Hoaglund, so, yes, it's deemed at their discretion if it warrants that there is so much traffic on Franklin and that business has a lot of traffic as well that they can deem it to go away.

Perreault: Mr. Mayor?

Simison: Just to follow up on that. Deemed to go away meaning restricted right-in, right-out or deemed to be emergency access?

Hersh: Emergency access. I'm sorry. Emergency access only.

Simison: Okay. Council Woman Perreault.

Perreault: Mr. Mayor. Do we -- we don't have anyone from fire here do we? Oh. Okay. Could we get a comment from Fire on what happens if ACHD does require that to be emergency access -- if Fire's preference is that that stay full access and it -- it doesn't end up being that way out of no, you know, control of the city, what does that mean for Fire?

Bongiorno: Mr. Mayor and Council, so, you know, like -- like Stacy said, in -- it says in my comment it's preferred to have it open with all the projects that we have got going on that's -- that's the issue is -- is we start doing these emergency access only and what they do is it's -- it's just a time delay for us. So, we either have to stop and open the gate or take down the bollards or drop the chain or whatever and that just takes time and knowing that this is going to be storage and a three story building, unfortunately, I'm sure you have all seen the news that lithium ion batteries are causing more and more fires and so in my 20 years that I have been with Meridian Fire Department we have had more than our fair share of -- of battery fires and as these things get stored and put away, we are -- we are going to see an increase in fires and so my concern is that we have immediate access and so that's why I prefer it to stay open, because we want direct immediate access. If we have to drop chains or whatever it just takes time.

Simison: Chief, just from an operational -- would you only drop chains if the other accesses were blocked or would you --

Bongiorno: Most likely, yes. Yeah. If -- if the ladder truck set up there -- sorry. Mr. Mayor and Council, yes, if the driveway is blocked with either a hose line that may be run from a hydrant out on the corner, then, we would have to drop it. If we don't have to drop it, no, we probably wouldn't. That's correct.

Simison: Okay. Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: A quick question for the applicant. The 12th Street to the west of this property that has not been constructed yet, is that part of your project? Would you be constructing part of that or what's the timeline for that portion?

Gulash: Mayor and City Council Member, I believe it is constructed. I think it is. So, don't quote me. Actually, I can -- let me ask the owner's rep, who is out there on a daily basis. It is constructed. So, that access is currently standing.

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

Gulash: Thank you for your time.

Simison: Mr. Clerk, do we have anybody signed up on this item?

Johnson: Mr. Mayor, we did not.

Simison: Okay. Is there anybody present that would like to provide testimony on this item, either in person or online? If you are online you can use the raise your hand function -- function. Seeing no one raising their hand and no one coming forward, would the applicant like to make any final comments?

Gulash: You know, thank you for your time and consideration and I just want to say, you know, for the record, you know, Stacy Hersh adopted this one from a previous staff members, so -- but she's done a fantastic job and so thank you very much.

Simison: Thank you.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: If we are providing comment I will be brief. I -- I thought the planning director's reasoning made sense. I thought it was for a particular purpose. So, I'm -- I'm supportive of the director's original determination and the explanation and reasoning for this request was presented to the director and -- and there is always a balance of consideration. So, stand behind the director's determination. I would say if -- if the Council were to lean a different way I think right-in, right-out access might facilitate safer circulation, prevent these left-ins if we have got U-Haul and storage and trailers, et cetera. If there was to be some access at this location it should be right-in, right-out only, prefer that even over emergency access. But that's only if there is a desire to overturn the director's determination.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. This -- this is kind of a confusing issue, just because in dealing with ACHD in the past where we are -- we are -- they have actually trained us well to move things off the arterial and -- and to the collector with less traffic if it's safer and different

things like that and yet they -- they went ahead and -- and -- and approved this. I'm -- I'm kind of like Councilman Borton there, that if we were to leave that open, which would allow Fire Department to have quicker access without having chains in there, whatnot, it would be a right-in, right-out and that the full access point would be through the collector street on 12th might be -- might be the way to go. But -- yeah, this one's kind of -- kind of kind of strange, because usually we are the ones grousing about having to move the -- the deal. So, now it's -- it's -- it's the other way around, so kind of -- kind of different.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I mean I'm kind of with you, Council President Hoaglund, on like this is sort of the opposite philosophy of what we have always heard. I think I'm inclined to grant the request if it was a right-in, right-out, understanding that this is, indeed, temporary and could go away, right, at the ACHD's full discretion at anytime. I guess I -- I place my trust in them that they will close it at the appropriate time and this, you know, helps the -- the applicant in the short term. It certainly seems to help the Fire Department from their perspective. It's kind of a tricky one.

Simison: Well -- and that was my question, frankly, to the applicant is like if you know this is going away and you say it won't operate -- the site can't function without it, but you know ACHD some day they are going to take it away, how -- how -- how does this -- is it only going to function for a while and, then, you will abandon the site when they abandon the right-in, right -- or did -- yeah. I mean that's -- that's what you essentially said without this access that is this project is not viable. At least the -- the second building is not viable. So if -- if and when this access ever goes away, then, what does that mean? I mean ACHD said it's going to happen. Now I think getting the city on board with the right-in, right-out, maybe we could keep it there forever within -- you know, with ACHD. I don't know. But I don't know if the applicant wants to answer that question. I just want to get clarification from your previous statements.

Gulash: Yeah. Absolutely. I mean I think where I look at it is -- and -- and it's kind of a not right or wrong, I think it's a tangent I think your conversation. I think that, you know, it's -- it's traffic conditions as warranted by ACHD. I mean I think ACHD has a vision of how things develop and I think we all have a vision of how things develop, but I think how they develop is -- is totally different, you know, and how things are in our heads versus actual and I think where, you know, ACHD recognizes that this is a large property that is kind of -- you know, that has been kind of tapered and wedge shaped on that 10th Street and what that does is that doesn't allow the kind of typical access from 10th. I think if you saw this as a typical rectangle -- I think if eighth -- you know, the Eight Mile -- the Eight Mile Lateral wasn't there I think it would be real easy, like we would have access -- you know, we would come up 10th Street, you take a left in, or you would come up 12th Street and you take a right. I think because of that it is this kind of interesting -- you know, it's living in a different world because of that, that taper -- you know, 10th Street is actually going to be redeveloped. There is going to be kind of

curb -- kind of curb and gutter on that side -- sidewalk, curb and gutter up there per ACHD's requirements. So, they recognize that this is a large site and for it to function, well, it does need that -- that access. You know, when that road comes -- I mean I think that's something we will have to have a conversation with ACHD about, about the vitality of that. Will that come? I mean who knows? I mean I think it could. I think it could, you know, but it may not. I mean I think that, you know, the beautiful part or -- or kind of one thing that is nice about storage and kind of this warehouse is, you know, storage isn't a heavily trafficked place. You know, generally people bring store -- you know, they bring stuff there and they leave it there. They come -- you know, so often. I don't know the statistics of that. I think what you will see on this site -- and, you know, particularly for that Building B, it's a -- you know, it's a warehouse building that stores U-Boxes, so I think you will see a large influx of vehicles and -- and trucks getting the U-Boxes there. I think once they are there they will be there for a while. So, I think, you know, you will have this kind of -- you know, when the doors first open you will see a peak of -- of traffic and I think it will drop back down to kind of maintain what's kind of the status quo for the site for the longevity. But, yeah, I mean I included that specifically because, you know, there is the risk that ACHD could come back and say, hey, you know, this isn't going to work and that's -- that's something that we will have to address when it comes, if -- if it comes and I think that's the kind of thing that I'm -- I'm not sure. So, does that kind of help answer?

Simison: Not really. Because your statement specifically was without the access Building B does not -- you know, can't do what you are going to do on this site. And I don't want to ask Dean to play it back, but that was pretty much verbatim what you said and so you have been put on warning from ACHD that you may lose that access. And to your point, don't know when, I just -- even if Council granted -- overrides the director's decision you still may lose that access in the future.

Gulash: And I think -- I think -- I mean I -- I would put that on to kind of the ownership -- you know, U-Haul's ownership and, you know, their functions may have to shift. I mean I think -- you know, U-Hall, as you know, I think is -- is in it for the long haul. I mean I think they have been around for the long haul. I think they are, you know, constantly evolving as a company and I think they are capable of evolving as a company with something like this. I think that what it would seem to me -- and this is off the cuff, but that if the Building B -- you know, if access was lost off there and it went to a right-in, right-out, or if it was lost completely to just an emergency access, I think they may end up changing what that building functions as and that building may change and they would maybe offset or displace where those U-Boxes are stored to other facilities, you know, in the Treasure Valley. So -- but -- but that's kind of I think something that they will determine later. So, I -- I don't see -- you know, again, back to, you know, U-Haul's not going anywhere. I think their buildings show that way. I think if you look at how their buildings are built, they are built for the long haul. I mean I think a lot of times they build them so that they are going to last for 30 years fairly maintenance free and I think that that's showing, you know, that they are building to be there and they are not planning on moving, so -- so, I think they will just have to reengineer and revitalize, you know, how -- how that site can be utilized functionally for them and they will, because

it's a large site and it's -- you, know that's -- that's money that they own. That's -- that's in their own best interest. So, does that help?

Simison: That's an answer. Yep.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: In that answer I heard -- and I want you to clarify that a right-in and right-out would be -- is -- is not -- doesn't sound like it was acceptable, but, yet, if we were to, for example, say, okay, we will let you have it as long as ACHD lets you have it and, then, their next step is right-in, right-out -- I mean they have invested and now it goes away to some degree, it sounded like right-in, right-out wasn't an option that they would like to have.

Gulash: I mean, you know, we -- I would say a denial is the least likely -- you know, is -- well, is the last thing we want. I would say we are -- we are -- you know. And per my last kind of closing lines, you know, we want to find a win-win for the city and a win-win for ACHD. So, that is kind of -- if that answers that. You know, I think we are open to options. I mean, of course, we would always like a full access, but, you know, right-in, right-out is -- is acceptable as well.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I don't know if you or the -- or your client are this far down the road, but what's going to be the process or method for making the -- the entrance on 12th the main entrance? I mean if -- if I'm a consumer my assumption is that the main entrance is going to be on Franklin, because that's where most main entrances are is on an arterial. So, what is going to -- what is going to cause traffic to move to the actual main entrance? Is it going to be signage? Is it going to be -- like my encouragement would be to move -- to avoid the public believing that that Franklin entrance is the main entrance by some method of signage or arrows or something, so that that really -- really is used in a limited way. Perhaps the -- you know, it's limited to a certain type of vehicle, size of vehicle, or, you know, something along those lines, so that there is preparation for the possibility that it's taken away. But has that been thought through or is that too early in the process?

Gulash: Mayor and City Council Member, I believe -- you know, so one of the items and -- and so there is two things of note I guess on that and, you know, the Building B, which is kind of the one on the -- kind of that closer to the little wedge shape is a warehouse building. That is a private, you know, not for public -- and kind of not for public building. The Building A is kind of where you do all your traditional kind of indoor storage, controlled storage. It's also where they have got kind of the showroom and

kind of rental facilities. The rental facilities and the storage is kind of in that -- let's say and on this plan it's kind of that southwest of that building. So, kind of where you have got that kind of node, kind of the landscaping, the accessible parking, kind of pedestrian area. So, I, think, you know -- and, then, there is some signage and there are some things along on the building that do kind of gravitate that towards being the primary. I mean I'm thinking here is kind of the building looking from -- kind of towards the north -- I guess I think that's northwest if you will. So, that is kind of -- you know, I think the building itself has been allocated to kind of indicate that that is the trademark. We can look into signage options. I'm not entirely sure where the current signage is along Franklin. That's something I could potentially ask the owner's representative if you would like.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: No question. Just a comment. I think the door was open to granting the exception, but the more I think about it, my concern is this is just a hope to get a City Council decision to ultimately influence ACHD. I think we should back the director's original decision and just stick with how we think this is going to be permanently in the long run. I -- it's not making sense to me to grant an exception that -- that isn't going to stand the test of time personally. I mean this is the opposite of what we almost always do. I -- I just -- I feel that your rationale for asking for an exception is to ultimately influence the -- the road authority frankly.

Gulash: May I add a comment if that's okay? And -- and I -- I recognize that and I -- I think where really what this appeal is is it's the idea that ACHD does allow it, but the city -- city code is in -- and I guess in conflict with ACHD's kind of current ruling and the only way to kind of appease that or -- or kind of chat about that is to go to, then, appeal. So, if that's -- you know, it's the idea that, you know, they -- they do allow it, but it's the City of Meridian's current code does not allow it. I think if that's --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: No, I'm not talking about their current decision, I'm talking about the -- the future decision on whether they are going to actually close this access or not based on the level of traffic off Franklin. I -- that's my -- that's just the opinion that I have reached of the -- you know, you are -- you are kind of in a better negotiating position if you get our -- get us on board with that exception now. I think we should stick with the director's decision and -- and keep it the way it's going to ultimately be, because it's -- it's not going to make sense the level of traffic off Franklin. You are going to have a perfectly fine access otherwise. So, that's just my opinion. There is plenty of others.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: I agree with Council Woman Strader and I would stick with the director's decision that the traffic comes in and out off of 12th Street, not off the driveway on Franklin Road. Traffic's not going to get less, it's only going to get more, and, then, you are creating two options for left-hand turns. I would rather just have it be one off the roadway, instead of a driveway. I back the director's decision.

Hoaglund: And Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: It -- it would allow us to comply with their district policy about -- that they have that the -- the -- the access be taken from the street with the lower current projected average daily traffic volume. So, that's kind of what we have looked at and they expect in the standard. So, I think we can -- we can hold to that standard, because that is where it's going to be from in -- in the future. That Franklin Road is -- is going to be increasing in traffic and even if we didn't have any growth in Meridian due to our surrounding areas, it will be increasing as Nampa moves east. So, just one of those things that's going to happen.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Just thinking through -- I drive this very frequently and thinking through how traffic moves in this particular section and -- and this is a lot of right turns in a very short amount of space with no right turn lanes on any -- there is no right turn lane on 10th. There is not going to be any into your development. There is not going to be any on 12th. You don't have one until you get to Linder. If there was it may be a different conversation, but you are going to have many opportunities for vehicles to be stopping in this section in the right -- right lane. Of course we have a left lane, but in a very short amount of space and that -- that just creates a lot of -- you know, traffic conflicts, which is why I'm asking about where you will be guiding people into as their main -- their main entrance. You know, I have no idea how often ACHD reevaluates their entrances. I don't know if you looked into that or not. I don't know if that's even a part -- you know, for us to consider. My assumption is that our director knew that ACHD was in agreement with granting the access, unlike what they typically do and, then, his decision was still to go with what our code currently states for a reason that makes -- that makes sense. So, if that's not the case staff can share that with us, but I'm under the impression that our director was fully aware and -- and still made that decision to comply with our code.

Hersh: Mr. Mayor?

Simison: Yes, Stacy.

Hersh: Council Woman Perreault, so, yes, it is part of -- so, I actually wrote the staff report for this CZC and design review and it -- the director's name is always in it and it's just stated back to code. But that is what we refer here -- or reference is our code and it does say that they can file a Council appeal if they don't agree with it. So, that would be correct.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I will make a motion, see if we have any additional discussion, but in -- in light of staff and -- and the applicant's comment and the discussion --

Simison: Close the public hearing first.

Borton: Excuse me?

Simison: Close the public hearing?

Borton: Oh. Sorry. Yeah. I move to close the public hearing. I apologize.

Cavener: Motion.

Simison: Motion and second to close the public hearing. All in favor signify by saying aye. Opposed nay? They ayes have it. The public hearing is closed.

MOTION CARRIED: ALL AYES.

Simison: Councilman Borton.

Borton: Yeah. Mr. Mayor. So, in light of the discussion and the presentation, I move that we affirm the director's decision as part of our Council review, affirming the decision in the administrative application A-2022-0232.

Cavener: Second.

Simison: I have a motion and a second. Is there a 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 and the motion is agreed to.

MOTION CARRIED: ALL AYES.

Simison: We are going to go ahead and take a break. We will try to reconvene in ten minutes at 8:00 o'clock.

(Recess: 7:52 p.m. to 8:01 p.m.)

5. Public Hearing for Sagarra (H-2022-0027) by Accomplice, located at south side of W. Orchard Park Dr., west of N. Fox Run Way and east of N. Linder Rd.

- A. Request: Planned Unit Development for a residential community containing a mix of single-family detached, single-family attached, townhome and multifamily units with a reduction to the setback requirements in UDC Table 11-2A6; and two private streets.
- B. Request: Preliminary Plat consisting of 114 building lots and 16 common lots (including 3 private street lots) on 17.49 acres in the R-8 and C-C zoning districts.

Simison: All right. Council, we will go ahead and come back. It's 8:01 and we will proceed to Item 5, which is a public hearing for Sagarra, H-2022-0027. We will open the public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. Let me get the presentation up here. The next item before you tonight is a request for a preliminary plat and a planned unit development. This site consists of 17.49 acres of land. It's zoned R-8 and C-C. It's located on the south side of West Orchard Park Drive, west of North Fox Run Way and east of North Linder Road. This property was annexed in 2019 with the requirement of a development agreement, which was later modified in 2021. Most of the property is designated on the future land use map as medium density residential, with some mixed-use community on the west end. That brown area here on the -- the left map. A preliminary plat is proposed consisting of 114 building lots and 16 common lots, including three private street lots on 17.49 acres of land in the R-8 and C-C zoning districts to develop in two phases. A planned unit development is proposed for a 146 unit residential community, containing a mix of single family residential detached homes. There is 32 of them. Single family residential attached homes. There is 38 of those. And 38 townhomes. And multi-family units, 38 of those, at a gross density of 8.35 units per acre, consistent with the medium density residential and mixed-use community designated areas and with the development agreement. A reduction to the setback requirements listed in UDC Table 11-2A6 is requested with the planned unit development. Access is proposed via the extension of two existing local public streets, North Arliss Avenue and West Director Street, and the existing North Bergman Avenue. One local public street access, North Arctic Fox Way, is proposed via West Orchard Park, a collector street. Private streets are planned for internal access off the public streets and will be requested with the final plat application. A revised common open space exhibit was submitted as shown that depicts a total of 3.43 acres of qualified open space, which exceeds the minimum standard by .69 of an acre. Amenities consist

of a 12 foot wide multi-use pathway along the south and east boundaries of the site, a swimming pool with changing rooms and restrooms, to a library, community workshop, dog washing stations, outdoor activity complex, fire pits, barbecue area with tables and shade structures. All units are required to provide 80 square feet of private open space. The uses within the planned development are proposed to be interconnected through a system of local and private streets and pedestrian pathways. A revised off-street parking exhibit was submitted as shown that demonstrates compliance with UDC standards and exceeds the minimum standards by 16 spaces. An additional 122 on-street parking spaces are also available. Conceptual building elevations were submitted for the proposed residential structures as shown. A mix of one, two and three story structures are proposed in a variety of construction materials and styles. Final design of the structures must adhere to the design standards in the architectural standards manual. The Commission recommended approval of this application and I will go through the summary of the Commission public hearing. Michael Slavin and Tony Tseng testified in favor. No one testified in opposition. There were several folks that commented on the application, some of which may have leaned towards the opposition side. Doug Jones, Chris Eastman, Sally Reynolds, Julie Duran, Shane Nye and Jennifer Card, Lisa Metcalf, Kelly Carpenter and Justin Carpenter. Written testimony was received from Michael and Linda Arnold, Leah Balecha, Daniel Briggs, Julie Duran, Matt Mueller, Scott Fuller and Jane and Julia Duty. Key issues of discussion were as follows: Request for denial of the project is currently submitted due to the following reasons: Project isn't consistent with the medium density residential future land use map designation and would be more appropriate in the medium high density residential designation. The proposed parking isn't sufficient for the proposed development and will result in substantial on-street parking that will contribute to congestion and make traveling through the community difficult. The proposed contemporary modern design of the single family homes are not harmonious with the design of the existing single family homes in the adjacent Paramount Subdivision. On-street parking along Bergman should not be allowed due to the curvature of the street, which will not allow two vehicles traveling in opposite directions to easily pass one another if there are cars parked on either side of the road on the curve. And belief that too many residential units are proposed in this area, which will not complement existing neighborhood and will negatively impact the community's livability. And increased traffic, density and on-street parking on North Bergman Avenue. Key issues of discussion by the Commission were as follows: They wanted the -- the parking plan updated to ensure the project is adequate -- adequately parked per UDC standards, which the applicant has done. They wanted the open space exhibit updated to ensure the project meets the open space standards, which it does and exceeds the minimum standards as noted and code compliant fencing along the south and east boundaries of the proposed development. The Commission made the following changes to the staff recommendation. They required pedestrian lighting to be installed along the pathway along the south and east perimeter boundaries of the subdivision. They directed the applicant to coordinate with ACHD on installing no parking signs on the public streets where the S or the 90 degree curves are located on Bergman, Arctic Fox, and Arliss. And they directed the applicant to continue working with abutting neighbors on repairing the existing fence that was damaged during tiling of the North Slough. There are no

outstanding issues for Council tonight. There was some written testimony submitted since the Commission hearing from Lorraine Howe, Jennifer Card, Jennifer Lytle and Sally Reynolds. Staff will stand for any questions. The applicant is here to present tonight.

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

Strader: Mr. Mayor?

Borton: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Apologies, Councilman Borton. Didn't mean to talk over you there. A couple questions. Can you walk us through the density for the R-8 zoning district? And, then, could you also clarify -- I believe there is a different application with a large apartment complex coming in the future -- what the timing and status of that is and that that is separate from this application, because I saw some public testimony that seemed a little confused about that and can you walk us through the setbacks that are allowed under code?

Allen: Yes, Mr. Mayor and Council Woman Strader, Council. It's -- they are proposing an overall gross density of 8.35 units per acre, as I mentioned, which is consistent with the Comprehensive Plan. The -- I don't have the -- I have the -- excuse me -- the setbacks they are requesting right here. That does not include what the required ones are for the district.

Strader: Mr. Mayor?

Simison: Where is that coming from? Council Woman Strader.

Strader: Apologies. And maybe the applicant could do that comparison, but I really wanted to understand, you know, under code what the setback requirements were and, then, really understand the -- the proposal. So, if -- if you can't answer that question right off the top of your head, the applicant would need to address that.

Allen: Yeah. I could certainly -- certainly bring it up, but, you know, the -- the applicant is here to speak tonight, so they may answer a lot of your questions, if you guys want to maybe wait until they have spoken and, then, if there isn't -- if there are some items that they haven't addressed we can certainly address those then.

Strader: Okay. I have two more, Mr. Mayor.

Simison: Council Woman Strader.

Strader: When was the revised open space exhibit posted or provided? You could come back to it. And, then, finally, the timing and status of any other applications for residential development in Orchard Park. Specifically there are several letters of testimony about a very large multi-family building. I just want to establish that that -- the -- the timing and status of that.

Allen: I'm looking for that information, Council Woman Strader. Maybe the Clerk could find this quicker than I can on the open space exhibit. She's wanting to know when that was submitted. And I'm looking as well, but --

Simison: So, while they are looking at that, Councilman Borton.

Borton: Thank you, Mr. Mayor. Sonya, this other question highlights this application is very unique in Meridian and it's a PUD, which -- which impacts a lot of the issues that Council Woman Strader is referencing and so will you -- will you give us the -- kind of the -- the one minute snapshot and there is references also -- I think Ms. Reynolds referenced it in her letter, among others, how the PUD application was considered the best fit for what the applicant was trying to do. So, a snapshot of what a PUD is designed to do in this context and why it made sense to encourage that application here.

Allen: Mr. Mayor, Council, and so back to Council Woman Strader's question. The revised open space exhibit was submitted on December 22nd. There is an application that's in process that is not -- I don't believe it's been -- excuse me just a second. Let me look for that. I don't believe that -- it has not been submitted yet to the city. We have met with the applicant, but it has not been submitted yet. Oh. Excuse me. It has been. The DA modification has been submitted. It has not been accepted yet or scheduled it for hearing. So, the -- Council -- Councilman Borton, -- this -- as -- as you are aware, planned development applications are for unique developments that offer a little more amenities and -- and housing types and -- and opportunities and they do allow for reductions to our -- to our minimum standards. The applicant and -- and staff felt that this fell in those categories for the request for PUD. Is there any other questions that I missed of yours, Council Woman Strader?

Simison: Councilman Borton, any follow up?

Borton: No. That's -- no.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I think what would be helpful -- and it's okay if it comes later in the hearing, but I think what's important is to establish because it's a PUD specifically what standards have been modified in terms of, you know, both setbacks, establishing if there has been any kind of density bonuses or anything through using the PUD process.

I just -- I -- I just want to get really clear, because I -- I think Councilman Borton's point it's I think a point of confusion and I -- I just want to be really clear on exactly what, you know, those exceptions are.

Allen: Mr. Mayor, Council, all of this information is contained in the staff report. It's -- it's pretty lengthy and all that information is addressed in the staff report if you have read it.

Strader: Mr. Mayor?

Allen: The density is consistent with the densities desired in the comp plan for these designated areas, for the MUC and the medium density residential.

Simison: Council Woman Strader.

Strader: Just to be super clear -- so, I have read the staff report, but I think it's important to outline -- and for me what I would prefer to see, I think, is like a side by side comparison of each aspect and how it's different. So, if it's here are the normal setbacks under code, because we have a PUD application, here are the setbacks, for example, I just think for ease of review, for communication with the public, I think it's important to put that in a way that's more clear.

Allen: I will note it for future reference.

Strader: Okay.

Allen: I apologize that was not done, but there are links in the staff report right by the -- the proposed -- the proposed setbacks for reference. But, yes, nothing side by side.

Simison: Council, any additional questions for the -- for staff?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you to my fellow Council for asking those questions, because I had the same -- so, just a couple of quick questions for Sonya. One, in the staff report there were numerous statements that the applicant needed to provide certain pieces of updates or information before this hearing. I think there was at least five -- four or five. Did they do that on every one of those counts?

Allen: Council Woman Perreault, yes, they have. To my knowledge. I'm going to go back and just double check, but, yes, to my knowledge they did address everything that was outstanding.

Perreault: Thank you. And I have one more question, Mr. Mayor.

Simison: Council Woman Perreault.

Allen: I believe that was in the staff report as well. But, yes, I will double check here.

Perreault: Going on seven years of seeing these applications, it's been a long time since I have done a PUD, so thank you for the refresh on that. I don't know that I have ever seen an application that had a density -- a gross density -- excuse me -- a net density that was almost double the gross density. So, I assume that that is because of the PUD allowances that we wouldn't otherwise see. I mean the -- I understand that the gross density is -- you know, fits fairly closely into medium density, but the net density is really high in comparison to what we typically see. So, I -- I guess I want to get understanding on why in this situation that's the case. Is it because there is more open space? Is it because we have -- you know, because we are allowing additional units in a smaller amount of space than we normally would, because the setbacks are less? All of the above?

Allen: All the above. Yes.

Simison: All right.

Allen: Yeah. And to answer your question, Council Woman Perreault, if you look at Section 8-A in the staff report that -- that listed those outstanding items, that staff response is there they are stricken and the response is included how they comply with those recommendations. So, that has been addressed.

Simison: Any further questions for staff? Then I will ask the applicant to, please, come forward. Good evening.

Slavin: Good evening, Councilman -- Council. Thank you for hearing us this evening. My name is Michael Slavin. I'm with the Orchard Park development team. I primarily focus on design, as well as financial feasibility for projects. I am accompanied with a handful of associates and design professionals. If the right questions arise or specificity of questions arise that needs their help, I just want to let you know that they are at our disposal. I live in Garden City, Idaho. 424 East Thurman Mill Street. So, I would just stand for any questions you have and then -- there you go. And I guess I have a presentation first; right? And I think Sonya is bringing it up. Cool. Thank you. So, what you see here -- I think first it's fun to just introduce the project and why the name Sagarra. It's a Basque name for Apple. We did go through a rebranding effort a number of years ago -- was then called Linder Village during the development agreement and we wanted to really reshape the development in the spirit of a mixed-use atmosphere. So, you do see, of course, in buildings on the highway they are more of a classic shopping center, but as we are moving to the center, which is mainly the impetus for the development modification that we presented before Council here very soon is we want to create a walkable, mixed-use environment and be more within the spirit of the walk -- a mixed-use walkable environment. And in just a little bit what I would like to do in this presentation, because Sonya's done such a great job of

presenting the technical aspects and, of course, we are happy to answer anymore questions you have as they arise. We just want to give you insight into our design process and -- and how we arrived at the design we did. And so what we did is we took an integrated approach of -- of reviewing the development agreement, what standards have been put in place and in really respecting what comments were made through that process, both, you know, from the Council, the hearing process and planning staff and we also looked very closely at zoning and use to make sure that uses are appropriate and we -- we really looked at the Comprehensive Plan. We know that's a large concerted effort the cities go through that seek a lot of public comment and we really respect that process in any city that gives the community a voice to voice any -- any visioning or concerns they have for future use of land in their community. So, looking at the site and, of course, this is the Orchard Park development. It's around 80 acres. What we are addressing this evening is the MDR R-8 zoned area. It's -- it was a pretty interesting project to look at from simple fact that -- that, you know, part of the development agreement we required to actually construct Orchard Park Drive, which is a collector road and the impetus for that at the time was to really create a buffer for any through traffic that might be present from Rocky Mount High School coming from the south through the development and so we were happy to provide that and specifically for this conversation we want to talk about the R-8 project. That having been said is that, you know, some of the requirements within the development agreement where they -- the City Council, as well as the planning staff, wanted us to create a feathering effect. So, I will get into that here in a minute of how we go from single family homes on the periphery, which is part of the development agreement, into higher density and so reviewing the DA Comprehensive Plan signed into law in 2019 -- and we have, of course, a couple items here from the Comprehensive Plan, as well as notes from the staff and one thing we really took to heart was supporting a variety of residential categories and what we wanted to do is, of course, you know, there are a lot of beautiful homes in Meridian, but a lot of those homes are very large. There is a large consumer group that might be a downsizer young professional single that there aren't a lot of options for that category for sale homes. So, that was really important, that was really insightful to, you know, have the community asked for a variety of residential categories. And this is a continuance of the Comprehensive Plan analysis per the development agreement. And another one is this provides housing options close to employment and shopping centers and so what we really love about this project is we are creating this walkable environment and listening so much tonight about cars and human safety and we also believe that where we love the fact that people can actually get up, you know, meet friends, go to a meal and walk home without getting in a car and we think that that's really powerful. You know, I say amenity and lifestyle for humans today, a lot of people get tired of driving in this traffic and incentivizing the valley. Our ultimate goal is to keep more people out of cars more often and the third point of the Comprehensive Plan review that we thought was really interesting is -- is protect residential properties from incompatible land use development of adjacent parcels and as you saw it was presented that 32 of the single family homes on the periphery are honoring that wish and this one I don't know why the size is a little bit off. Can change it. And here is just another view from the Uniform Development Code, but somewhat redundant that the wish, of course, is to provide a variety of residential types within a development. That's

what you are seeing in our provided site plan. So, next where I jump into is just, you know, the guidelines we put together from this analysis. R-8 zoning, you know, we wanted to stay within that bound, which we have. Comprehensive Plan. Of course, we want to support a variety of residential categories, which you will see here in a minute. Housing close to employment, which we are providing with the mixed-use zone to the north and provide a buffer and transition to commercial and that's the big design challenge here is that you have single family homes, but this was stipulated in development agreement is to provide this transition and so single family homes right next to a large shopping center isn't very congruous and so that's why you will see a lot of the design that we put together was honoring that wish. And so looking here we start -- we have kind of -- I would say five taxonomies of homes, the first set being the single family homes you see delineated in blue and we have a 40 foot walkway or pathway that also serves a buffer in between us and the Paramount Subdivision to the south. These would be -- is -- is the design examples showed for the application. Hopefully you reviewed. These would be high end homes. Probably a little bit smaller in size. Just going to offer a different product, other than what's available in the current area. Second, moving to the north, creating the transition or feathering, if you want to call it that. You will start to see townhomes. A lot of these will use classic materials, brick and otherwise. These will definitely be, you know, nice, timeless structures that it also speak -- in our mind really provide a transition from the -- the classic single family homes to the south and transition to more of a commercial use to the north as per the stipulation of the development agreement. And moving further to the north you will see these -- these ribbon townhomes and these get to be a little bit more commercial in appearance. We were pretty excited about how the design is turning out. Again these will be high end finishes on the exterior and be in full compliance with the design standards in place. Next you have a series of -- of multi-family homes. These are -- what we wanted to create here is almost like a village green type atmosphere. We have a large park that these homes are surrounded by. This is really stepping into what the PUD was for is it -- you know, we -- we -- we designed -- I think we put a lot of effort in design to satisfy the requirements of a PUD and what that means is -- is what Council Person Perreault said -- or asked was what it allows us to do is provide a lot more open area than typical -- typical. So, a lot of what happens in -- in subdivisions is every home is kind of a standard lot size. There is not a lot of great common area, other than a couple common areas, and this is a more integrated setting and we found there is a consumer base that likes this style. They might lock and leave and go south for the winter. You know, they have a lot more flexible lifestyle and travel more and when they are home they like that a lot of amenities that they are not running a lawnmower or scheduling maintenance et cetera and that we just found that's a great living style for a certain amount of people in the community. And, then, the next -- we do have a couple small condo buildings on the property, again, offering more of that variety. These are one and two -- two-bedroom units. We only have a handful of them on the entire site. Of course, they are overparked on site, so we feel really comfortable with our planning here. We wanted to touch on a point -- which we are happy to get into more detail. One -- one question was brought up about zero lot lines. To be really clear on this topic is that where this was raised that we are in absolute compliance with R-8 provisions. What R-8 calls for is uniform setback separating us from other properties and where you

do see zero lot lines, which is allowed, we are only doing it in a couple spots. I mean we could go to the full extent of the code. You see these little red dots. But we didn't push the buildings all the way to the zero lot line. The reason why we did this is we wanted to create a lot of articulation. So, as you are driving up and down Orchard Park Drive you see a lot of movement in the buildings and you don't see buildings along lines. So, when you see that written it's, you know, just in isolated cases, which we put little red dots. And so, in summary, you would say we worked really hard to present what we think is a really thoughtful package to Council, as well as Planning and Zoning, that it complies with zoning, the UDC, and Comprehensive Plan. It fits better the development agreement. That was definitely a high bar to reach, especially creating that feathering aspect. Exceeds open space requirements -- thanks to the PUD -- distribute that to a certain degree to the off-street parking requirements, as well as exceeds the community amenity requirements, which we are pretty excited about. Again, it creates a really livable community for a certain amount of people that like living that way. And so with that I will open it up for any questions.

Simison: Thank you.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Let me be the first to start off. Michael, I don't know if this question will be for you or for another member that you brought with you, but in reviewing all of the citizens' concerns and how they were addressed in two different P&Z meetings, I kept noticing that when you were talking about the parking and all of the parking slots that you provided in this development and -- and, Sonya, I don't know if you can pull that up. The major complaint had to do with the narrowness of Bergman Avenue and how there were quite a few parking stalls allowed on the S curves going through there and it was very very narrow and when I look at that and I realize that we are talking about a road that can connect some of our youngest and newest drivers from Rocky Mountain High School to Winco and the library and you are going to have drivers driving through -- not just in the morning, but at noon and after school, I know it was addressed by you and I heard what I thought was very good faith understanding that probably those parking spots -- all the pink parking spots on Bergman, as it goes through the curves all the way into the development, should go away. Every time I would see this slide it was never updated and they are still here and I'm having a heck of a time trying to decide how I would approve something when you say that, you know, you don't need to have those, but they are still here and can you explain to me why the -- the map hasn't been updated and those parking spots on Bergman Avenue have not been taken off of your parking map?

Slavin: Councilman Overton, thank you for bringing that up. There was a lot of discussion about this in two hearings and -- and so this is where the dissonance exists in between Meridian and ACHD. ACHD controls the roadways. So, you know, you as the city don't have any say over -- unfortunately. And we as a developer don't. And it's

a separate process to go through ACHD. We actually in the discussion with Planning and Zoning were -- I think we addressed the Council and -- and it's tough to make any conditions of approval in an area that's not in -- in Meridian's purview -- a limitation of -- of our development. All that having been said, that's kind of the technical answer, but behind the scenes is -- is -- you know, we stand with the community, like we are happy to get rid of these parking spaces and go the hard yards it takes and that could take quite a bit of time. I believe that there is an instance within the Paramount Development that maybe took three years of concerted effort with the community to get rid of some parking that they didn't want with ACHD. So, we are happy to stand there in solidarity. But it's just one of those things that ACHD moves at their own pace. We all know that. That's a frustration definitely of ours and I'm sure of the planning staff as well as we are trying to get projects through. But there is -- it's absolutely out of our locus of control.

Overton: Mr. Mayor, follow up.

Simison: Councilman Overton.

Overton: I understand, Michael. But do you not agree that a form of showing solidarity with the homeowners from Paramount would be to just simply eliminate those from the map, so it doesn't look like us as sitting City Council members are patently agreeing that those are good parking places, when I'm telling you right now I disagree with those. I think that's a really good turning area for even traffic calming, but a terrible location for parking. That's a -- I think they said it was a 33 feet wide section of street that you could not get two cars in between two other cars parked, but your solidarity is falling hollow with me when it's still on that map. I'm simply asking if you have the solidarity when you agree with the homeowners in Paramount that are bringing this forward, at least make the good faith effort to take it off the map, even if it takes a long time to make it official with signage.

Slavin: Mr. Overton, we would love to do that. Sadly enough I don't think we have that visual exhibit. We did that analysis just to make sure, you know, how many spaces would be left if we not only removed the curves here, but we would love to remove the curves -- what is off of our list? So, this is west most corner. We feel the same problems going to exist there. That -- that road hasn't connected yet, but that's going to be the same exact condition and so we would love to go further and remove that parking as well. Again, our project from a code requirement perspective for parking off-street wouldn't be affected, we would be happy to do it.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, I mean as an -- in addition, if the Council is in agreement with that, as Council Member was saying, that can be a condition of approval as well. So, that ACHD is well aware that this Council also would not like to have those parking spaces there. So, even though they may not have the ultimate

authority to eliminate them, definitely will send the message to the highway district that the Council doesn't want to see those there, you don't want to see them there, your neighbors don't want to see them there. They may move at their own pace, but at least they are getting the same message from everyone.

Slavin: Sure. I think that's a great suggestion. One -- is it okay if I ask you a question for clarification?

Nary: Sure.

Slavin: So, if that's a condition of approval is that a requirement we need to satisfy with ACHD before we can record a plat map or how would that work technically?

Nary: Well, it's going to be part of -- it would be part of the findings. Ultimately, then, that would be part of the development agreement. So, that is a condition that's going to have to be finalized probably before final plat, so --

Slavin: Okay. Thank you for the clarification.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Along those same lines, these internal streets are private; correct?

Slavin: May I respond? A couple of them are, yes. So, not the -- the primary access road that moves east to west. That would be an ACHD road. But the interior circulation streets will be private, yes.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, the primary streets that have the on-street parking, all of those are going to be a width of 33 feet with parking on either side. So, essentially, they are going to be how wide for the -- the drive lanes. Is it to ACHD standard or is it going to be more narrow?

Slavin: It -- it will be to ACHD standard. And, fortunately, we have had this on other sites around the valley where they see it as a form of a traffic calming and not justifying it and I think the best place to go is somewhere like the North End where it's really frustrating -- like one car can only get through at a time and it doesn't work very well and that's the standard they impose on us for this particular type of street.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, I have some questions about the parking with the setbacks. We -- we regularly see issues when there is a ten foot driveway or a five foot driveway. Mostly see them in alley loads. But this is not -- you know. But this is going to create the same -- same situation we see, which is that those spaces are often used by residents to park in or they want to use them to park in, because they have storage in their garages. So, whether we like it or whether we don't, that's the reality of it. I'm curious as to how this actually meets parking standards for -- so, for the townhomes, for example, I think the three bedroom townhomes have a parking requirement of four spots. So, if -- if you have two spots inside the building and you don't have a 20 foot driveway, where are the other vehicles parking? Off street? On-street parking?

Slavin: That -- that's a great question and maybe I have the luxury that the numbers are really small on this table and you will see that we have broken it down by actual townhome and how many bed counts are inside of the townhomes. So -- so, we have analyzed this very very closely and, essentially, satisfy on-site parking requirement standards for -- for both what the residence requires, as well as guest parking on -- on site or off-street, however you want to look at it.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: If other Council Members have other questions -- I have a series of questions. So, if you guys are okay -- unless somebody has a quick question, I'm going to -- if it's okay with you, Mr. Mayor.

Simison: I think it's -- all questions will be answered and move on, no matter how we do it.

Strader: I appreciate that. Thanks for being patient. Okay. So, I have the R-8 standards in our code opened up in front of me. So, the minimum property size in square feet is 4,000 square feet. So, I -- I want to go through each one of these standards -- or if you can just tell me which standards do you deviate from?

Slavin: Sure. I wouldn't have -- I don't have the code in front of me.

Strader: I know.

Strader: We sat down with our design professionals and we made sure that we complied with all the requirements. In summation -- excuse me. That's why we -- it wasn't the reason why we employed a PUD, but certainly we could go back and, you know, do these lots in a singular fashion. Take away a lot more open space. Reduce the parking that we are exceeding and end up with a different site plan. But in light of the fact of the development agreement and the standards that were put in place to

create a natural transition and a variety of housing types, we felt that this was the most appropriate application and so we need those standards that -- you know, the PUD addresses those standards.

Strader: I'm not sure you do. That -- that -- that's what I'm confused about and so -- like what I really wanted to understand were the setbacks, because I think -- and frankly -- and the other thing I should warn you what I want to do is I want to go through all the elevations that you guys submitted. I have them on my computer --

Slavin: Uh-huh.

Strader: -- some of them, if that's helpful, but, you know, I'm looking at a couple of these elevations -- one of them I think may have been in your presentation, if you can find it. It almost looks like warehouses. Do you know what I'm talking about? If you could find that slide. If you have your presentation open.

Slavin: I think Sonya had the elevations. I just had the bubble diagram.

Strader: Yeah. Here. So, this is where I'm really wanting to -- to get clear a couple things. So, just some feedback. I mean this is incredibly inconsistent with the Paramount neighborhood as it exists today. It's completely different. What are -- like, for example, if I'm looking at these -- if I'm -- the picture here in front of us on the left, if I'm -- if I'm looking at this picture, what is this setback -- does this meet the setback for the R-8 zone? Because it's really close.

Slavin: These are conceptual renderings with -- with all due respect. So, you are not going to get down to actual dimensions. These are -- these are ideas; right.

Strader: Yeah.

Slavin: And that's -- that's what's required for this particular portion of the application and to the design -- I don't want to be condescending, but through the design process, you know, design review that's when we address those issues. These are -- these are purely conceptual.

Strader: Yeah. So, I just want to give you some feedback. So, like an example I would point to -- you know, we recently approved a development off of Ustick and McDermott, I believe, that had some deviations from our standard dimensions and even from our setbacks and there were good reasons at that site that were geographic in nature that had to do with a lateral, with like some serious site constraints and that was kind of the bar we set for deviating from some of our standards. But I would point to like that -- that particular development is a good example of like attached townhomes in terms of style and -- and kind of how -- how things would blend with the neighborhood. You know, I'm looking at -- and I'm -- I normally don't get into design stuff. That's not something that I normally care that much about. But I'm looking at something like this -- this is totally inconsistent. I mean even the library, you know, is kind of like a modern farmhouse

vibe. But I'm -- I'm like looking at these renderings and there are even hardly any windows facing the street. I mean it's -- it's just -- it's just a totally different type of design and I'm -- I'm just trying to understand like were these design choices driven by trying to get an exception to our setbacks and that's kind of what's going on or help me understand why stylistically like this was the choice.

Slavin: Yeah. That -- that's a great question and thank you for your comments. And to assure you, we won't build exactly what you see here. These are just examples of what we are looking at for design inspiration and I'm happy you are raising the points you are. Is it -- we will be building something different I assure you. I mean it will be similar in nature; right? And one of the challenges we had, again, is that, you know, in the development agreement, you know, it was somewhat of a staff comment to provide a natural transition. So, what we are working really hard to do is have these single family homes that transition into more of a commercial look and so on and so forth until we get into the mixed-use development and so we are trying to strike that balance to make everybody happy. But at the end of the day, you know, for us it's interesting to present a different product, because different humans have different tastes and we get excited to offer something different.

Strader: Mr. Mayor?

Simison: Time is yours.

Strader: Yeah. So, I understand that, but part of our Comprehensive Plan really speaks to, you know, trying to make sure there is adequate transition, but trying to have kind of consistency with surrounding neighborhoods and I agree with the principle that you are trying to follow, which is you are starting with single family, then you are getting denser as you get closer to the commercial. That's beautiful. I don't have any issue with that. But I think where I'm -- I'm getting like a lot of heartburn personally, besides I thought Councilman Overton's excellent points about safety and Bergman and all that stuff, is I'm looking at some of these elevations and -- I mean I -- I'm just -- I'm not on board with them, frankly. This wasn't the only example. I mean I went through every single one and there were just -- it -- it just was completely a departure from the existing neighborhood and it's kind of hard to hear -- trust me this isn't what we are going to do. I'm just -- I'm a little worried. I feel like there are some concerns and it's better to, you know, come back with something that's flushed out, that's going to mesh with the neighborhood, and you have worked with the neighborhood really well -- since you have had a couple meetings. I just think it's important to flush out that harm -- something more harmonious with the surrounding neighborhood. So, that's one point I would make. The townhome elevations, same issue. And, then, as well, you know, I'm concerned I'm -- I'm -- I have got -- maybe you could go back to the slide where you had the little plus signs of where you are at a net zero lot line. Yeah.

Slavin: Is that -- I know it's on my presentation. I think there is one on yours is there? Yours is much bigger, but I think it might be there. But while Sonya is looking for that, we are definitely open to design and if there is a way to, you know, implement that we

are more than open. And I caveat that with we definitely want to -- we take the financial risk on building something that's sellable and so, you know, at the end of the day we would like -- we would love to strike a balance.

Strader: Sure. Mr. Mayor. Yeah. I -- I think that, you know -- sure, that makes sense. I -- all I can tell you are examples of projects where I have seen townhomes and density that looked like it would be very successful with this type of a surrounding neighborhood. Like that's one example I can think of off the top of my head, but I'm not going to design it for you, you know. So -- yeah. If we could -- we are in the right presentation. I think we are getting there. Go ahead.

Slavin: Thank you, Sonya, very much. My apologies. At least I think I drive -- am I able to drive on the -- there we go. Thank you so much. At least the mouse was working for a second. And -- thank you. So, let me grab that again. Bear with me for a moment, please. I will just flip -- I believe it's the last in this series. Yeah. Here we go.

Strader: Yeah. Okay. So, here clearly -- this is a deviation from our setbacks; right? From our standards.

Slavin: Yeah.

Strader: And so explain to me why it's not.

Slavin: Yeah. What -- what you will see here -- great -- great question. Is that you are -- we have a periphery buffer that's required under a PUD zoning. So, we can only be within so many feet of -- of neighboring properties and what you are seeing here -- we just wanted to point out the fact is that, you know, it's allowed to do zero lot line, but on the --

Strader: In a PUD.

Slavin: Yes.

Strader: Right. That -- that's where the disconnect is -- is -- is I'm really trying to establish -- if you didn't do a PUD what would the standard be and -- and what exceptions are we making to traditional R-8 standards, because we are giving you an opportunity to use a PUD process. So, I'm going to keep asking that question.

Slavin: Yeah.

Strader: You and -- and Sonya, unfortunately for everyone -- but that -- that's what I need to understand, because it -- to me it feels like -- okay. I understand granting exceptions for an urban feel, but I need to understand what the exact rationale is and what those exceptions are. Like what specifically do you need an exception from traditional R-8 zoning that you couldn't do here if you didn't use a PUD? That's what I'm trying to understand.

Slavin: Sure. They -- they would all be very traditional homes, which we don't feel is in compliance with the Comprehensive Plan to provide -- to provide a variety of homes. And I think you made an excellent point about another project, about a challenging site, and so what happened was when the collector road was imposed upon us, which we agree with and we were happily built, was that it created a pretty awkward lot, especially when you deal with triangles. You know, it's really tough to deal with those and one option to us -- which -- which I don't think was appropriate was hardship and I think in the case you mentioned, when you have a precarious site -- it's pretty narrow on one side as you can see and, then, it has a triangle on the other side -- is that a PUD seemed like the best application. So, we looked closely at PUD requirements and satisfied those requirements.

Strader: Yeah. I mean just to give you some context for the example that I gave you, in that example, after purchasing their property there was a state highway that separated their property, in addition to a lateral. So, the -- the kind of conditions I'm talking about were really dramatic. Okay. Well, maybe this is as far as we can push this, but, anyway, it's a little bit of a point of frustration for me that I can't see somewhere on one piece of paper here is what -- even, for example, the -- you know, the setbacks, the total square footage, all those things. I -- I would love it if I had every, you know, dimension of those things and why you exactly needed, because I -- I think I have seen others pretty successfully be able to work within it and we can give exceptions, but there needs to be I think more rationale. So, my comments are -- just to summarize and I think where I'm having some frustration -- for me personally I think more justification behind the PUD and why that's a justified approach. The elevations need work, in my opinion, to blend with the surrounding neighborhood and a lot more granularity I think on -- on why not traditional R-8 zoning and what -- you know. And part of it -- by the way I think when you have those elevations I think it explains itself; right? That -- that's what I saw with that other example. So, anyway, I will stop hogging the mic and pass it to others.

Simison: Thank you. Council Woman Perreault.

Perreault: Thank you, Mr. Mayor. I agree with Council Woman Strader and I see exactly where she's going with this and I think what would help with clarification is that PUD is a tool that we permit applicants to use to try to work with a site that has much more significant constraints than this. We -- we see -- we see sites that are far more constrained than this site in -- with -- with -- with geographic problems, with lack of access, with -- so -- so, I don't -- I'm not a developer, but I have been looking at these land use applications for many years now and this doesn't strike me as a -- as a -- a site that is -- that has hardship. What it -- what I see the use of the PUD is -- in this situation is that there is a desire for greater density and that's what the PUD is being used for and -- and I don't -- I don't see that hardship. So, one thing I wanted to clarify, you -- you -- you keep going back to the Comprehensive Plan. We -- I appreciate that you, as the developer, have spent time looking at the Comprehensive Plan and trying to determine what the city desires. It's always -- always tough to kind of guess what it is that we desire. But the Comprehensive Plan and the sections that you are quoting are guides. They are not -- they are not requirements. They are what our city has said we desire.

But they don't have to happen -- all of them don't have to happen on one property, especially not a property this small and -- and doing that doesn't necessarily make it more desirable to us as -- as a city, although we greatly appreciate when developers spend that time to try to figure out what it is that we need as a community. You don't have to have a PUD to meet all of those desires that are in the Comprehensive Plan. That's not what we necessarily have to have happen. The PUD also allows us to have more decision making ability when it comes to the entire development. So, if this wasn't in a PUD and -- because it's already annexed, then, this might be a different conversation. Because it's designed as a PUD, Council Woman Strader is correct, we have to justify why we are going to -- we are going to alter what our normal standards are in the R-8 to comply with your -- or to approve what it is that you are requesting. So, I think her requests for justification for what you are asking for is very fair. For us to go to our public and say, hey, we think this PUD is necessary here, because X, Y and Z. I don't yet see what that X Y and Z is. I don't -- I don't see what -- other than creating additional density, I don't see a necessity to have a PUD on this property with its specific given limitations. You could have all -- all of these buildings that -- all the elevations I have seen so far are all at least three stories. The townhomes, the -- maybe some of the single family are single -- are single level, but most of them probably two level -- two stories. Your ribbon townhomes are three stories. All of those could be one story. It's not -- the -- the variety of housing doesn't have to pack in three story buildings everywhere. It could be single story townhomes. It could be single story ribbon townhomes. It could be single -- you know. So, I -- I don't see that that -- that there is any requirement that there has to be such -- you know. I -- so -- so, help us understand -- my question for you is help us understand are you creating this height and this density because it economically has to be -- you know, for you as the developer you have to do that to make a project work or are you doing this because you have done some sort of study that shows that there is a definite need for these. Because, you know, we -- we hear from our community and we hear from our applicants week in and week out about what the community needs --

Slavin: Yeah.

Perreault: -- and I have yet to have any group come and say we unequivocally need this -- you know, an 18 plus percent net density in a -- in a -- in what -- a medium density residential designation.

Slavin: And appreciate your comments and there is a couple -- hopefully I address all your questions. The nature of the PUD isn't -- isn't so much it's necessary -- it's satisfying the requirements in my understanding and what we wanted to do in -- in earnest -- it wasn't so much about density, it is about creating open spaces, walkability, fire pits, pools, dog wash stations, things that a certain amount of customers really like and they want that walkable environment and it's very different than a lot of what exists in Meridian. So, we are excited to offer a different living style and -- and especially given the fact it's right next to our mixed-use project. So, you know, for a certain amount of people -- not saying everybody -- it's really cool to get up and put your slippers on and take your dog and go get a coffee and, then, walk home, you know, and

read the paper and we just -- we are really building to that lifestyle that gets us excited. From -- from an economic perspective I'm sure there is several ways to make it work, but, you know, this is -- I would say a preferred mode, because we wanted to offer a differentiated product and especially in the market where the median home price is so high and it's become less affordable for so many people that we did want to offer a variety of housing types and that doesn't mean, you know, I would say, you know, Section 8 homes, it means, you know, affordable for a lot of different people, from the aspiring, you know, young college person that just graduated getting their first place and a lot of other folks to open it up for more people to enjoy. As far as three stories, it's -- you know, we are definitely staying within the building envelopes. We are not trying to be cute. There are very large homes in Paramount that are very high. So, I don't think that that's, you know, out of character with the neighborhood.

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

Slavin: Thank you. Mr. Clerk, I will turn this over to you.

Johnson: Mr. Mayor, first is Sally Reynolds. Sally, Sonya is bringing up your presentation.

Reynolds: Thank you. Will I see it on the screen here? Oh, there we go. Okay. And I can move it through -- right here with the arrows? Okay. Great. Can you go into presentation mode? My cursor seems to be -- oh, it's your cursor. Thank you. All right. Good evening, Mr. Mayor, Members of City Council. My name is Sally Reynolds. I reside at 1166 West Bacall Street in Meridian. I'm going to kind of do away with the remarks that I had and I'm just going to go through some bullet points. So, first of all, I would like to thank the developer. He's been very good at communicating with the public and getting input from the public. I do like the feathering of density. I think that's very thoughtful planning. They have agreed to put lighting -- I'm sorry -- along that easement and that's by P&Z, so I would encourage that that stays as a condition and they have happily agreed to do that. This is the Bergman parking that Council Member Overton was addressing and there is an ACHD meeting tomorrow at 12:00 noon and I have already contacted a commissioner concerning this parking and I will be at that meeting to address that then and we can see where that goes from there. But this is how narrow the street is, just for reference. Finally, this is the fence. They have agreed to repair or replace it. How that's going to work I'm not really sure, but it was damaged when the canal was done and so that would be appreciated to be done. You can see the side yards are not compromised. It is an old fence, but the side yards are fine. It was the backside that was sliding down in. So, I agree with Council Member Strader, a comparison of the R-8 dimensional standard versus what the city code would be asking for in a PUD would be great to see. I'm not sure where in -- besides just those 0.6 setbacks where the other setbacks are and -- and so are being requested and how are they being used and I think that should be highlighted. One other point. In R-8 there is a variety of homes that are allowed, single family detached, single family attached, townhomes and duplexes, all of which we already have in this square mile with Linder --

Linder Springs townhome, the apartments at Prelude, more dense housing at Cadence at 55 and older. So, those can be done. And, you know, to their comment of why they are clustering them so close together is for open space -- well, the open space wasn't met until the irrigation company said that they could build -- or put plants along that easement. So, there isn't actually -- and I was on the open space committee for a year and a half and I understand that is great usable space and I would much rather have that easy be open space and count, but my point is throughout the rest of the neighborhood it's very very cramped. There is not enough open space there just for people to breathe due to the setbacks. And so the setbacks request -- this is in the staff report. It's really really hard to read even when I blew it up and I haven't gotten a chance to compare it, like Council Member Strader said. Finally, this is what I see a planned unit development as being and I don't see that it fits under any of those points. The -- it's for residential developments greater than eight units per acre. So, is this eight units per acre and is it MDR or is it actually greater and so you can't really have it both ways. Last, I would just say it's not the intent that the PUD process is used solely for the purposes of changing dimensional standards and that's exactly what this is. I will stand for any questions.

Simison: Thank you, Sally. Council, questions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Sally, thank you for presentation. Always appreciate your -- your involvement. Regarding Bergman and the other streets for parking, what are your thoughts if one side of the street is no parking and allowing parking on the other side? Does that give enough room for that or not?

Reynolds: It -- it would probably be enough for two cars to pass. I mean -- I mean looking at it really where Arliss comes around, where Bergman goes through and where Director comes in, those are going to be the major feeding roads and those are the ones that I don't think should have parking on either side. Now, the ones where -- if they need parking for guests and such, yeah, having all it on one side of the road that would probably be great and, really, unless high school students are going to take Arliss and, then, go down that road, it wouldn't be heavily trafficked and maybe having parking on one side of the road would have them come through Bergman and a safer road where there is not parking on either side. So, I'm only going to talk to ACHD concerning the curve on Arliss and Bergman and Director and I really think it's up to the future residents who live in those houses on if they want parking there or not.

Hoaglund: Yeah.

Reynolds: To me that's their choice.

Hoaglund: Okay. Thank you.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Sally, was there any part of your letter that you submitted to us that you wanted to provide comment on that you hadn't touched on yet?

Reynolds: The one -- I mean to Council Member Perreault's point, I have yet to see why the PUD is warranted, besides fitting in more units. So, residential rooftops in the square mile is not needed and the development could still have those unique amenities and innovative living spaces without violating that R-8 zoning. So, I can appreciate, after being on that committee, trying to balance regulating development, while encouraging for innovation and allowing flexibility and that's where PUDs should come in, to allow something truly unique when underlying zoning and circumstances or outside factors prohibit it and I don't think that those apply in this case.

Borton: Okay. Thank you.

Reynolds: Sure.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Sally, thank you for the relationship that you have built with us and we value your thoughts. You share them so well. If -- if -- looking at their application, what -- is the biggest concern the parking or is it -- is it density? Trying to think how I want to ask this. If there was one -- there is four types of housing in here. If there is one type of housing that you felt was the least beneficial to that area, given that there hardly is any multi-family in this area and there is a lot of service jobs in this area. So, we do need some housing that is going to accommodate those service jobs. Is there one particular type of housing that they have proposed that you don't think would be beneficial to the development for what you see on a daily basis --

Reynolds: Sure. Sure. Mr. Mayor, Council Member Perreault, I would say the condominiums, just because that is the one type of multi-family unit that is not allowed in R-8 and we have over 300 prelude apartments in the southeast corner -- in that same square mile that people could get here walking without crossing a major road. So, we have 300 apartments there that can serve it. Linder Spring townhomes is probably another 150. And, then, if that application that was referred to later on comes through there will be 540 apartments, which is huge multi-family in the upper right-hand corner. So, where it's right up abutting single family homes, I don't think there is a huge need for multi-family and I think it could be eliminated.

Simison: So, yeah, I was just sitting here saying don't say the condos. Don't say the condos. It's the first project I have ever -- I have seen that I can recall that we actually

have condos and that -- that was my one redeeming quality that I could really point to in this is condos I think are a needed product in Meridian.

Reynolds: Let the apartment people know that, maybe they will change up there and put in some condos instead of apartments. That would be -- they would fit great up there. Mr. Mayor. Excuse me.

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

Reynolds: Thank you. And happy Valentine's Day.

Simison: Same to you.

Johnson: Mr. Mayor, next is Kelly Carpenter.

Carpenter: Good evening, Mr. Mayor and Council People. Forgive me. A little nervous. My name is Kelly Carpenter. My address is 5991 North Arliss Avenue in Meridian. Thank you so much for your time this evening and thank you so much for all of your comments and questions on this development, because those are all the things that I am personally feeling. Two main things I would like to ask for or bring to your attention is that I believe that the density of this development does need to be reduced and, then, also the height of the units in the building should also be reduced as well. As the developer Michael did state, it is a very narrow piece of land. I live directly up against the fence where the park will be and it's literally a stone's throw before the condo buildings begin. I just don't think that it is cohesive to the neighborhood. I believe the heights -- they are just way too tall. The developer keeps talking about a two-story building when, in actuality, it's a three story building, because it's a two-story with a garage on the bottom. But I do agree with the feathering. I do agree that the work-live balance is a really cool concept. I just think that we need less of them. You know if they could eliminate one row of the condos and have the townhomes, I think that's fantastic. Single family homes. Absolutely. But with that many people it's going to put a strain on our schools, a strain on our roads. I can't tell you how many times a day I hear tires screeching and sirens going, because there is not many people on Linder and Chinden. Let's see. I think that's pretty much everything that I wanted to say. And, then, again, just thanks, Council Woman Strader, for all of your comments and concerns, because, again, those were all mine, as well as Council Woman Perreault. So, thank you. And if you have any questions --

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

Carpenter: Thank you so much.

Johnson: Mr. Mayor, next is Justin Carpenter.

J.Carpenter: Hello, Mayor, City Council Members. Justin Carpenter. 5991 North Arliss, Meridian. Thank you for your time today. You know, I'm -- I'm glad we are on this slide

right here. You know, it's just -- I -- I think it was Council Woman Strader talked about this transition of elevation. It's just too -- too extreme and they are -- they are trying to pack too much into this -- this property. It sounds like you guys see it, too, which, you know, reassures me that you guys are seeing what we are seeing. It's just -- it's just too much density, especially with the five story apartment building that's on deck to come after this. You know, we just -- we just have concerns. I think the developer kind of spoke volumes there, because when he was -- talked about the density, he talked about pulling out the green space to maintain his -- all his units. You know, if this is truly that walkable, livable environment, why would you give up one of your greatest assets? The second thing I want to point out is I think it's being underestimated, the walkability that's coming from Paramount. We -- all of us in Paramount are -- are anxious for this development to come through. We want the restaurants. We want the pubs. We want the surf machine. You know, the library. You know, we are very anxious. We are a very walkable community and there is going to be a lot of that that's going to -- that's going to come to this development as it gets built out. So, it's not like we need to rely on these consumers of these residential units to support those businesses. And that's all I have.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I'm kind of chuckling, because I was in the hearings when this came through and Paramount was not in favor of the Linder -- the Linder Park development. So, I'm glad to hear that they are --

J.Carpenter: We have also seen it come a long way from the original design.

Perreault: Yeah. I'm -- I'm glad to hear that. I -- yeah. I'm -- I'm happy to hear that.

Simison: Okay. All right. Thank you.

Johnson: Mr. Mayor, next is Chris Eastman.

Eastman: Is it this mic? Mr. Mayor and Council Members, Happy Valentine's Day. I actually would rather be home eating my Sa-Wa-Dee Thai, one of our favorite Meridian restaurants -- is waiting for me at home when I get done. The original -- I have been a -- I live on 1192 West Bacall Street. I have been there since 2007 and so I have been through many hearings on this development and I can't wait to have something behind our homes that we love and will continue to -- to go and visit. The original concept after lots of work showed a map with 120 units with one main road and single family homes on both sides and, then, it was to go and get more dense, different type of housing out from that. The property is zoned for R-8 residential. That's the eight residential units per acre and he is -- the submitting is 8.35 units per acre. At the Planning and Zoning meeting the Commissioner brought this up and said, you know, you are parsing it, because you are rounding down; right? So, he said to them to come back, you -- you

know you are doing that, you are -- you are using the number, it's higher, round down. Unfortunately, nothing changed. The -- the developers have worked with us and talked with us, but nothing has changed from the original design. So, even with that comment from the Commissioner nothing has changed what was presented to you guys tonight. So, that was one request is to stick with the original zoning. They shouldn't have to be able to round down. Like really stick with what was meant to be behind our homes. They are also asking for the setbacks, which is a violation of city code, if you follow the R-8. So, I would ask for you guys to stick with the correct zoning behind our house and not allow a lot -- give them allowances. Paramount is a wonderful place to live. That is where I have raised my kids. It's where I plan on staying and I want it to continue to be a very walkable place. Unfortunately, that road that you guys keep talking about, I keep forgetting the name now, Bergman, when the -- when it was snowy I was going to work and I saw a teenager crash on the side, hit the fire hydrant. I saw multiple teenagers coming right after them about to hit that -- me and -- and the teenager pulled over. They come through our neighborhood, they also come through on to Linder Road to get to Rocky. This is a very dense -- it doesn't look as dense on paper. I'm glad you guys are seeing that. But it is going to be driven through by the teenagers, by us that live in Paramount, and I really would -- would hope that you would respect keeping it safe and making sure that the parking is not allowed on main roads and that they have enough parking for each unit to be safe. Thank you for your time.

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

Johnson: Mr. Mayor, Shane Nye.

Nye: Good evening, Mr. Mayor and Council Members. Appreciate you letting me come up here. My name is Shane Nye. I live at 858 West Bacall Street. I do appreciate the concept of this design. Again, the -- the feathering that's mentioned. But it seems like a lot of the concerns -- and I'm just kind of echoing some of these same things over again -- come from the stretching of some of these limits. At the last meeting I was at the Council Members noted that there was not much say they had with the roads and the parking, but sometimes the stretching of -- of these limits, the density, the setbacks, things like that to allow more housing, is what's creating the problem or worsening the problem and we do have a -- you do have a say over that. So, I would appreciate those being addressed as was previously said. It's also interesting to me that the developers -- this -- make this property so diverse they can kind of answer any question depending on which part they are talking about. For example, at the last meeting they were talking about million dollar homes, but at this meeting they are talking about affordability for any type of person, you know, and I -- I agree there is some lower income level homes that feather out, but they kind of play both sides of the coins very often on this issue. Again, I agree with the concept, I agree with the -- some of the ideas behind it, but just stretching the limits, forcing the density I think is what's creating some of the problems and the heartburns and so I would appreciate those being addressed as was previously spoken of. Thank you.

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

Johnson: Mr. Mayor, there are several other names. They didn't mark they wanted to speak, but, of course, they may wish to.

Simison: Is there anybody else that would like to come forward and provide testimony on this item? Go ahead and come on up. And if you are online and wish to testify, please, use the raise your hand feature.

Brownlee: Hi. I'm Tony Brownlee. I was on the -- the first list. I live at 797 Barrymore. Built my house there in 2005 and have been through several changes to that property behind there. One -- one thing that the developer said that it's neither -- it's not in your control and it's not in his control to change the width of that street. It's absolutely in your control. You can deny their project or they can change it. So, I think it was being disingenuous. One thing that -- that my neighbors didn't bring up was that there are no three story houses anywhere in Paramount. Not one. He said that there were. There is not. There is only two stories with a -- a garage underneath it either. However way you -- you look at that. They are not there. I think that the -- that the density there is way too high. I think that the street is too narrow. Councilman Hoaglund, you said do you -- do you think that if -- if they could park on one side. If it was my daughter, those along that street, no. Absolutely not. Not with -- not on days like today with adults driving, much less kids driving. I, you know, got a call from my better half to say, well, I made it. I saw a whole bunch of accidents on the way and that was after she got out of our -- of our subdivision. I can't imagine on a road like that. And, again, I just think that the density is -- is much too high, that the buildings don't fit the character of Paramount. The -- the buildings that we have there, you know, what -- I built in 2005 what all my other neighbors built. I appreciate their -- their designs. But I think that the sole reason that they are asking for the PUD designation is to pump up the density. I think you all are calling it as it is and until they can show something different, I think that's what it is.

Simison: Thank you. Council, questions?

Brownlee: Thank you.

Simison: Thank you. Is there anybody else that would like to provide testimony on this item? Okay. Then I would invite the developer to come up and close. Or the applicant. I should say the applicant. I apologize.

Tseng: Mayor Simison, Members of the Council, my name is Tony Tseng. 6518 North Fairborn Avenue, part of the development team for Sagarra. Sonya, if you want to -- Sonya, if you can please bring up Michael's presentation. I'm going to use some slides from there. A lot of things to unpack here. Obviously there is a lot of issues, a lot of questions and, hopefully, I had the -- I had Ross over there, our engineer, to be able to ask some questions. So, I can hopefully ask -- answer some of your open questions. I think Council -- Council Person Strader -- great questions and that's really what I was trying to work hard on and you are -- you are right, you know, because the PUD allows for so many different things and what are we slipping in because we are using this designation. Totally understand that concept and so kind of did a download with our

landscape architect, our engineer, wanted to make sure we tried to capture everything there is and I'm going to step right into them. So, I want to address those first, because I think that's a big issue and it's a big question, you know, what's going on and hopefully, Sonya and I can address all of them, but I'm pretty sure this is all of them. The zero lot line thing is number one and I want to make sure that when we talk about zero lot lines it's articulated to exactly what we are trying to do and we -- I addressed this at P&Z. The zero lot line issue isn't -- we are not using that so we can have zero lot lines and push all the buildings to -- to the -- to the edge of the street. If you look at where we are really using this it's on this Orchard Park Drive. We have a 20 foot buffer along Orchard Park Drive to -- to the north and if you see the points, it's so we can articulate the buildings and when I was talking to P&Z I literally said, look, if we have to, we will straighten those buildings out and not violate -- violate those zero lot lines. But they came back and said, no, we actually like it -- to see the articulation, so when you are driving down Orchard Park Drive it doesn't look like a big apartment building or big mass, it gives it some -- some -- like it gives them more feel -- architectural feel. It's -- it's not this big massing. If you -- I know that the graphic or exhibit is really small, but it's on those points and if that's an issue and you say, guys, the zero lot line thing, we just can't handle, we can probably go back and just straighten the buildings out and, then, we will have the same -- again, we will talk about density later, but it will -- if we can -- we could easily address the zero lot line issue just by straightening them out. We felt -- and maybe Council does or doesn't -- it just makes it look better. Again, we can straighten them out and solve issues. Second issue we have -- the reason why the PUD is in -- in place is smaller lot sizes. And that was addressed earlier I think by Sally and she's awesome and she knows all her code and it is because that the minimum lot size is 4,000 square feet. Now, one thing I want to point out that is kind of unique to this and we will look at this calculation. Now, if this was a normal application for a plat and for a subdivision, you buy a piece of land and you have so many acres to work with. The reason why this piece of land and -- and its development is so unique is because this thing -- this entire development probably started in 2004. A lot of things were happening 2007, but a lot of stuff with Winco. Obviously, the neighbors -- I wasn't around for that -- that version of the development -- it was pre -- before I joined the development team. But I know that the neighborhood didn't like Winco and rightfully so at the time. I think it's turned out to be an okay addition to the park and there is a lot of neighbors that use it. But because of that there is a two acre -- two plus acre park that is adjacent to the Sagarra Subdivision that we have not used as part of our open space calculations or our density. If you look at the -- let's see. I can give you a graphic. But adjacent to -- directly east of the Sagarra community, right behind the couple on Arliss house. So, that two acres -- which, again, if you look here we did not use for any reason and, yes, technically can't be used -- is part of that community. It's going to be -- we have a survey that we sent to the community. We had 78 respondents. Because we -- you know, originally, Sally and I talked about what the park should be. Her and I thought a dog park. Yea. I have a dog. She has a dog. We did a survey. We had 78 respondents. We were very wrong. Really nobody wants a dog park. It came in last. Number one represents -- I really don't want it. Number five represents I really do want it. So, we had 78 respondents and this is the breakdown. We offered a dog park, a fitness park, just plain open space, a normal neighborhood park and my favorite was a

pickleball court. But that -- that technically won, if you want to look at the data, but it -- it's average score was similar to the neighborhood park, but it had more people that didn't like it as much. If you see there is 16 people that said one to a neighborhood park -- I mean a pickleball court and 34 people loved the pickleball court, number five. But if you go to the neighborhood park there are less people in opposition to a neighborhood park. So, I guess my point is part of the discussion is the -- the space; right? Not only are we not using that two acres, which, by the way, we can get a -- we can get an agreement with the owner of those two acres, which is part of the Orchard Park, to do a cross -- cross-use agreement -- whatever agreement we want it's going to be part of it. We are going to treat it as part of Sagarra. You know, we are going to put some sign -- we are going to use whatever the code allows us to use, whether it's signage, develop a great park, because it's an entrance to our community. The second piece is the road. So, if you look here -- and I'm sure you can't see it, but the collector road represents another -- give or take one acre. So, again, brand new subdivision. If we went out and purchased 17 acres, we would have 17 acres to do our calculations against. However, because of the development that we -- we -- the -- the Orchard Park built that road earlier than you would do in a normal subdivision. So, that acre got sucked away from us. Now, again, we are not using it -- we are not using it towards our calculations for density or anything, but that's another acre of land that in a normal situation we get to add that back into our calculations and the last piece that's here, we call it the remnant parcel. Part of the development we were -- I wouldn't say forced, but Brighton had us buy another piece that's about 3.7 acres that we wanted to include our open space, but we are told -- and rightfully so he said -- they said, look, it's really not part of your open space, it's -- it's -- it's attached. We wanted to put a fitness track that went through it, but after discussion with Sonya, we agreed with her, it's really not part of it, but that is part of the development that is land owned by us that is part of Sagarra -- again these red numbers are just not being used. So, I get on paper the density looks tight, because it is pretty tight and I -- I -- I -- I agree with Mayor Simison that we need some multi-family. Now, that's another reason that the PUD is being used. Regular R-8 does not allow multi-family. We really did want to offer every product type and I'm kind of afraid to admit it, but I have moved here from California, but ten years ago, so I'm not the local -- the recent, you know, migration. So -- but ten years ago I moved here. A lot of home -- and, by the way, I love Meridian. Beautiful. Have moved ten families here from California because they come visit and they love it. But the product type is pretty homogeneous, which is beautiful, too, but there is a lot of new people coming to town, younger people -- in fact, we have a family friend who is 30, who is living with us, looking for employment, looking to live here and I just don't feel like there is enough product mix. Now, I know this is not California, I'm not trying to make it California. Trust me. I moved here for a reason. But having multi-family. Having a little more dense area. Having attached to this -- really proud of Orchard, what we are trying to do there. A lot of walkable food -- a lot of walkable spaces. I personally feel the library is beautiful, but if you are not as modern I get it. You might think it's ugly. But I think that product mix is really really important to Meridian. You know, there is a lot of big houses -- I mean big -- I'm from California. Like a 3,000 square foot house would have been -- where I came from, used to feel pretty big. But it seems like every house here is like two to four thousand square feet. But to address your question about the PUD, zero lot

lines, we talked about smaller lot sizes, the multi-family component, and the final component is the -- so, if you look at this map right here -- and I'm going to highlight -- if I can get the mouse to work. Where is the mouse? Oh, here we go. This townhome coming right here -- this private driveway here is 30 feet from home to home. So, it's a 20 foot street with two five foot -- five -- there is five feet between the street and the -- from the garage. The reason we needed the PUD is because in speaking to the city -- the planners. Not -- I don't think it's planners. I take it back. I think it was -- I think it was the fire department. Regardless. But we don't want people to park in that street and part of the PUD is allowing for -- what we are asking for is that this is made to be a townhome with a 20 -- a five foot setback -- five foot buffer, 20 foot street, another five foot buffer -- if you live here you park your cars in your garage and, then, no -- it's no parking on the street. So, that's the idea for -- and -- and, then, there will be no parking allowed, by the way. Signed no parking. Unlike Bergman. And that's the next thing I want to address is Bergman. I have reached out to -- I was able to get through -- contact -- reach out to Steve Price, head of ACHD, had an appointment set that had to get broken. But I know it's a big issue. If we could change it we would. We don't need the parking. I don't -- there is no reason we want those parking spaces there and I think one of the Council Members said, well, show -- in solidarity show it off the graphic. I will delete it right now. I have my computer. Oh, sorry. Oh, wow, I talk way too much. So, we don't want that street -- to have parking on the street or less -- we -- we agree with them. I don't -- I -- I agree -- I -- I get the fact that people don't like the design and feel again. We want to build something that's sellable and the last thing is Sa-Wa-Dee is probably coming. I'm meeting with her on Wednesday. So, for the neighbor toffee and fawn. They are looking becomes Orchard Park. So, I stand for any questions.

Simison: Thank you, Tony. And just for the record, I didn't say we need multi-family, said we need vertically integrated home ownership opportunities and condominiums.

Tseng: I'm sorry.

Simison: Just so we are clear on what I am referring to.

Tseng: Pretend like I said that.

Simison: Okay. Council, questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you for clarifying that, because you can have multi-family that don't have the structures this close together and still accomplish the same amount of housing. So, what we regularly see is not just parking issues when you have five foot -- five foot setback, a 20 foot street, and a five foot setback. We see moving trucks. We see HVAC trucks. We see garbage cans. We see all kinds of problems with this that is not just about parking their vehicle and whether you like it or not, people are not going

to always park in their garage -- that we have fought this forever; right? And -- and I'm not -- again, it's -- I'm not saying that it should be done that way. That's just what's going to happen and so our job is to make sure that it's safe for folks; right? And that people can get from their home on this 20 foot drive to -- you know, to work or wherever they are going. I do appreciate that there is two accesses on either side. So, if somebody has a vehicle that comes through that's blocking their access to their drive -- to their garage, they -- they can back out and get on to the street. But this isn't just a parking problem. This -- this is -- I mean I live in a neighborhood with a regular street width and I -- every single day there are Amazon drivers, HVAC, moving trucks, tile trucks, contractors and I have -- and -- on either side of the road and I live in -- and I have a regular street width. So, that's -- that's really the concern and -- and I get it -- I get it from a developer standpoint, it's like, okay, well, then, why don't you change code. I understand that. I understand where you are coming from. A lot has changed with that, though, because once upon a time there weren't four vehicles per home that had two teenagers, but that's just kind of how it is now; right? So, that -- that in and of itself is not its own challenge, it's that combined with the other setbacks, combined with the building closeness, combined with -- it's just kind of like stacked on top of one another that it will cause folks to not have places to go or -- you know, it's just going to create a cluster of challenges.

Tseng: And -- and all great points. Honestly. To address some of them, you know, some of them are just facts, but to address a lot of them is -- I know we are saying no parking and we are going to have it posted no parking and that the kind of luxury we have -- and I have talked to Sally and the neighbors -- is that we are -- we are associated in helping develop Orchard Park also and the one thing that has -- this is a kind of a different subject, but we talked about security and part of our plans at Orchard Park -- and it's going to be in our cams -- is 24 hour security. Some of the shops that we have in the middle of Orchard Park is away from the street and we want to protect some of the unique design and the higher end design, so we have 24 security, which is going to encompass -- you know -- Sally and I talked about this -- encompassing not only Sagarra, but making sure that there is less crime. I know -- I know there is a concern regarding the 40 foot walkway. So, we addressed it with, hey, what do you want to see? Lighting? Great. Let's -- because we want lighting. But, then, we have to get the neighbors to agree whether it's uplighting or downlighting. You know, we just want lighting. And making sure that that doesn't become something that's not a positive; right? Making -- we -- it's our responsibility as part of Orchard Park. I know that once the homes are built and sold a lot of developers are, hey, it's not my problem anymore. You know, if that turns into a crack alley -- I sold the houses. We care, because that alley is part of our park and to address the parking with the townhomes -- most of those townhomes are two bedrooms. If -- the product I know is not normal to Meridian. I get it. It's different. Design looks funky. You know, it's too modern. I have heard it -- and I -- I -- I get a taste, you know. At first I looked at like them and I'm like -- I'm a little -- my wife is a modern farmhouse lady and I guess I have to agree with her, that that's what I like, but we -- we want to build these for a slightly different demographic. You know, a demographic we think is there. We hope it's there. You know, there is -- how many people want a two-bedroom townhome? We think there is a

lot of people. How many people want to live in a condo or a multi-family or a condo community in a residential community? I know a lot of my friends do that are moving here. Unfortunately, because of a divorce or situations where they are really downsizing or a single -- single father, single mother. We believe there is a need. We believe in it so much that we are going to spend quite a bit of money to develop something and build it and we hope they will come. We think they will; right? And so a lot of these issues I totally agree with you. You know, we don't want -- but it's going to be no parking. We are going to enforce it. The neighbors are going to enforce it. There is so much extra street parking is what I really want to emphasize and we keep talking about parking. Trust me, if we needed Arliss, if we needed Bergman, we would be -- we will be self-serving. We say, nope, ACHD says we can have it. So, therefore, that counts for our parking count. It's easy -- I know it's easy for us to say we stand with neighbors, because we don't need them and -- and -- and, I agree, they shouldn't be there. But we -- if you look at the exhibit for parking, we are overparked by -- I think we have it -- it's in Sonya's display. But, Sonya, can you pull up yours? Because I don't remember. It's a large number with the on-street parking. Sorry. I won't touch it. No. I'm sorry. Okay. Yeah. So, it looks like -- can't read this, so -- we have 132 on-street parking and I can't -- we have extra parking. Even if we take it all out. I can't -- I can't read it. But, again, I get parking is a big issue, because we are dealing with that at the center, too; right? Dealing with how much parking we have, making sure we can park it, et cetera, et cetera. So, hopefully, that answers most of your questions. I know that probably not satisfactory all your questions, but it is a concern. It's not something we brushed over, you know, it -- and I get that we are doing something pretty different that's not normal -- I mean the library is not normal. Compare the library to any other libraries in Idaho. Some people like it. And I have told -- I have been told some people don't like it. I get it. I personally like it, but I don't -- I don't expect everyone to like it. And the collective is going to be very unique and the barn is going to be very unique and we want that neighborhood to reflect that. As the property owner, which I'm not, I represent him, he could sell that land -- land off to a Corey or to a home builder and they can build whatever they want. R-8. Here is your lot size. They build homes. A mishmash of types and elevations, which usually are nice, but for us the reason we want to do it is because we want to make it cohesive. We want to make that entire neighborhood look like it was master planned. It matches -- good or bad, but matches. It plays into how Orchard Park is going to be seen and that's -- that's our motivation. Now, if this is going through I get it. The plan might be okay, just sell off to a master home builder, let them figure it out, they will build what they want. But that's not -- we don't want that. You know, we want to do what the neighbors want also and, by the way, working neighbors they have all -- they have all been really cool to me. They have been really nice. And -- and we want to work with them. I get the density thing and I remember asking Sally -- I said, well, how many less do you want? What if I told you we are going to do 180, if you -- then I said 140, would you get happy? And -- no, I'm not trying to say anything negative, Sally. But that was a conversation we had. I said if I said 140 -- if I said 120, would you be happy. At what point -- I mean how much are you just trying to extract from us just to get a win; right? I -- I guess there is a number, but because of the open space and the extra space we have, I feel like the community, the way we designed it, it's nice. But that's up to interpretation.

Perreault: Mr. Mayor?

Simison: Cancel Woman Perreault.

Perreault: So, I didn't ask any questions about parking numbers.

Tseng: Sorry.

Perreault: I was asking about functionality of the spaces. The streets. Access. Not parking numbers. Not parking spaces. It's access issues that I was referring to. And we -- we love new concepts and ideas. That's not -- we are not -- we are not saying go do what is just like Meridian everywhere else. None -- none of us have said that this evening. What we have said is we need to understand how what you are doing justifies a PUD within our code that would require you to go to higher than eight and, obviously, a huge difference up to net density that is necessary in this area. We are trying to understand the necessity of the PUD in this area. We -- we understand -- and what I have heard from you is that it's not a necessity, it is something that we think is really cool to bring to the city that's -- that's design elements. That's what we think is the -- the lifestyle that folks want. Those are subjective, intangible things; right? We are not talking about the subjective, intangible, we are talking about the -- how this will physically be built within dimensions and within access and within functionality. So, I think that's where there is this disconnect between what questions we are asking and the responses we are getting.

Tseng: I'm sorry.

Perreault: Let me -- let me finish. So, at least that's for me the disconnect I'm seeing and the questions I'm asking and -- and what we are seeing -- or what -- the responses that we are getting. When I look at this type of community, when we talk about walkability and open space and creating more open space by having denser units, I don't look at this and go, yeah, I'm going to go take my dog for a walk and get a coffee by Winco. Like I -- I see doing that if you are in a Bown Crossing, I see doing that if you are in, you know, a Harris Ranch. I see doing that if you are in somewhere where you have this little shopping community feel, because you are the closest store is two miles away. But I don't see that lifestyle in what you have portrayed and what Orchard Park is being -- is -- is building currently. I -- I don't -- I'm not connecting the dots. I'm a professional single in this city, there are areas that I would live in a two bedroom like this, but not in this location, because I don't -- I don't look at what's being built in Orchard Park and go, oh, yeah, I totally want to walk around that. I go to that Winco frequently. I want to get in my car as fast as I can, because I'm uncomfortable walking in that area and you can show me all of the pedestrian mapping that you have, it still doesn't give me a feeling that that's where I want to go walk as a leisurely casual part of my afternoon. I'm just being really honest with you. So, if you are -- if you are attempting to convince us that this is a PUD for lifestyle purposes, I haven't caught the vision yet.

Tseng: Sure. And that's part of the -- so, we have submitted a lot of this stuff to the city and we have a thousand page plan that we have -- are going through the city for what's being built. So, I get it. Right now, if you look at Orchard Park, you have quick retailing outside, a lot of national chains. The Olive Gardens of the world and Jacksons of the world and we have Winco, which is as big of a big box as it gets. What's not being addressed -- and maybe you -- you haven't had an opportunity to see it, because 80,000 it is an 80,000 square foot glass bar and that is -- finalizing our construction drawings is another walkable village that leads up to a library, with another 40,000 square foot retail that are bringing a lot of really different restaurants, some from downtown, but out-of-state restaurants and the Wilder is coming. I don't know if you guys like the Wilder, but they are -- I think they are great. So, my point is I get what -- how you feel. It's not walkable right now, because I -- I drive by it and I go, man, I'm associates of Winco development and we want to make it so it's not the Winco development, it's the collective and the barn. And, granted, that -- that library is 15,000 square feet. It's a pretty big structure. The barn is going to be 80,000 square feet. So, I -- I wish it was built so you can see it. I would be happy to share with you the thousands -- literally thousand page plan of how that's going to get built. We have spent a year and a half designing it. It's going out on a limb to do something really different, even more innovative than The Village.

Simison: Council, any additional questions or other restaurants you want to find out that are coming to the area, because we are getting a really good preview on the public record. So, hopefully --

Tseng: I can get more.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: The last time that -- that you -- your team was before us I asked for them to update the website, because there was minimal information about -- the -- the -- the renderings of the barn was there and that was pretty much it and -- and it didn't even -- it's a cool idea, but it -- like it -- there wasn't even details about how it was going to -- like what its purpose -- the purpose served. I haven't looked at the website in a while, so I don't know if that's all been updated, but there is no way for me to know that.

Tseng: Yeah. No. I don't blame you and --

Perreault: There is -- I mean how am I supposed to know that if --

Tseng: He's the -- he's the website guy.

Perreault: Or how is our public supposed to know that and I asked for that probably a year ago and I haven't seen it done. So, if you are wanting us to catch a vision, again, it's not here yet.

Tseng: Is it okay if Michael comes up to answer that question?

Simison: Yeah.

Nary: Mr. Mayor, Members of the Council, no, because it's -- that's a future pending application and it's not related to this one.

Tseng: Oh. the website --

Nary: The vision is fine. I mean for what you have talked about. But more than that is this is a future application that hasn't been in front of the Council.

Tseng: Okay. I was going to answer the question whether we have updated the website.

Nary: Oh. Okay.

Tseng: Yeah.

Nary: Please keep it really minimal.

Tseng: Okay. Sorry.

Nary: The project yourself.

Tseng: Yeah. Yeah. Okay.

Slavin: And, actually, thank you. You -- you gave me that. The most appropriate answer is we -- we wanted to get successfully through the development agreement modification to go ahead and roll out the new website. We are really excited about it. We are going to make a lot of commitments to the city with new structures that are coming and we are rolling out, you know, exciting restaurants as we sign leases, but it's really tied to -- to making sure we can do it. So, we don't want to get out over our skis, honestly. So, we are so excited. The website's awesome. I have been putting a lot of hours outside of our normal job and can't wait to share it with you and I think about you every time I'm working hard at nighttime and in the morning getting that website done, drinking my coffee, saying, yeah, got to get this done. I really do -- because that comment wasn't lost on us and we are not trying to hide anything, it's just we have to work with the community and -- and the Council to get things approved before we can make promises is all. And one last note. If you would like to see it offline, happy to show it.

Tseng: Okay. Sorry. Okay.

Simison: Council, any additional questions? Okay. Tony, I think you can take a seat.

Tseng: Thank you for your time.

Simison: Don't go very far. Council, do you want to take a break before we -- okay. All right.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I'm happy to kick off discussion. I don't think it will surprise people the opinion that I have, just based on my questions. I -- I feel strongly that this has not met the bar of a PUD application. You know, if -- if we deny it they are certainly welcome to come back with an R-8 application and that I think still allows for a variety of product types, including townhomes, et cetera. I think there is a lot within the R-8 standard to work with frankly. I wasn't on Council when the original Orchard Park Winco development and Linder Village at the time was approved, but it was very contentious and, you know, I'm sensitive to the fact that this was laid out as an R-8 and I -- I think there is an expectation there that things align with the way it was approved. I don't see a lot of hardship here. I don't view the park -- that's an existing condition. I don't view that as a -- a hardship. I don't view the collector road as a hardship. These are all existing conditions. Nothing has changed out of the ordinary in my opinion. I really appreciate the applicant walking through some of the standards. I appreciate you doing that. You know, talking about the -- the lot sizes, talking about the buffer. Obviously, the -- you know, there are some -- there -- there is a reason that they requested this. I just -- I don't see it as particularly meeting the bar. The -- the renderings and the elevations did not meet the bar for me -- the very high bar we should be setting. I think there is a way to do a modern feel that would be more consistent with the neighborhood and more consistent with the library. I think the library is beautiful. I don't have any issue with the library. I do have an issue with something that looks like a windowless warehouse where we are going to store people. That -- that freaks me out. I'm sorry, I just -- I had kind of a visceral reaction to a couple of the renderings. But it just -- it -- I -- I think there -- there is a meeting point between modern and where Paramount's at that you can find. So, I -- I'm not on board with it tonight. I would love to see you come back with an R-8 and give it a crack and if there are a couple of exceptions or things that are a little different, you know, justifying those at that time -- but trying to move head on the standard of R-8 and if there is something particularly innovative let's talk about it, but, yeah, I mean that's -- that's just where I'm coming out on this. If the rest of Council, for whatever reason, decides to approve, I'm in strong agreement that we need to get this condition ironed out on -- on Bergman, Arliss, and Director. You know, as someone who drives through that road I could tell you for a fact it -- that the -- the curves in that road will not support parking. It's just a fact. So, I think that needs to be addressed. And, then, you know, I would just say, you know, the other thing, too, I -- again, just giving an example, but I did check and for reference I think it was December 13th -- could have been December 13th or the 15th, but that's when we had the application at Ustick and McDermott that was a PUD and, again, very different site conditions, but I thought that the renderings there of the townhomes and stuff were something that -- that

you could look at as an example of something that's a little closer, but still very modern. Yeah. So, I'm -- I'm -- I'm just -- I'm not on board with this application tonight. Thanks.

Simison: Thank you.

Cavener: Oh, Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Sonya -- I don't know -- someone -- or maybe it was the camera person took down the exhibit from the screen. If they can put that back up I would sure appreciate it. And I'm -- I'm -- I'm happy to weigh in with a couple of thoughts, if that's okay, Mr. Mayor.

Simison: Yes, please, sir.

Cavener: Thanks. I -- I think I have remained relatively quiet during this application, which is pretty off brand for me. I will just share kind of where I'm coming from on this. We don't get a lot of PUDs before us and so I have really tried to be two ears, one mouth on this particular one. Looking for what all -- what elevates to -- to necessitate an approval of a PUD and appreciate the -- the good questions of -- of my fellow Council Members on a host of different areas and kind of attacking those angles, so I didn't have to. For me I have struggled through this application, through the P&Z, through reading it, to see what our community gains by taking the PUD route. What -- well, how does Meridian win? The applicant I think heard some -- some feedback and testimony about the subjectivity about what people like and don't like. While, I don't particularly -- I didn't particularly care for any of the exhibits, I recognize the applicant's the one that's putting the financial risk and that they believe that those designs, you know, are attractive to a growing market. So, I have -- I have kind of put that piece on the shelf. To me Council Member Overton I think really started things off correctly with the concern about the -- the transportation, the traffic safety piece, connecting that with Rocky Mountain I thought was really well thought out. Appreciate the applicant's quick response to that. So, the only piece that really is stuck with me on this is that what I see the PUD brings is the added density and I think Council Member Strader was -- was pretty direct in saying, you know, if this is headed towards denial, she would like to see an R-8. I appreciate the applicant saying that, you know, another home builder could come in here with an R-8 and do something like that and certainly the free market could support that. I think that we have always challenged the applicant team to be willing to hear from our neighbors, which I think that they have done, but also to be creative and this certainly does some of that, but I think that it could also be accomplished under the R-8 zoning. I think that the -- the -- the public hearing is still open. Perhaps maybe after Council's had some time to summarize some thoughts maybe we could invite the applicant team back up to maybe at least explain what -- what they think they are gaining in the PUD. I think Council Member Perreault asked that question specifically and I didn't get a direct answer. So, maybe giving them one more opportunity. I'm not

completely sold on approving the PUD tonight. Just want to be clear on that. I still have too many questions that I feel haven't been answered.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. This -- this presents a lot of challenges from several different perspectives. You know, a PUD, if you look it up it talks about creative land development that preserves natural features. It allows for efficient provision of -- of services. It's not a traditional lot -- lot by lot development and we have had folks testify, well, this is a narrow strip of land and developers talked about the triangle. Okay. Does that make it unique enough to do a PUD? You know, maybe, maybe not. People talk about they like the fact that -- and -- and I like it as well -- you match single family to single family and, then, you move out -- you move out and, then, you have commercial after that and that's -- that's a good -- good following and if you look at our commercial areas that's what you have is a lot of the denser -- densities there next to commercial and -- and you have to realize if you don't have density next commercial centers, it's moving out. You are pushing people out and we talk about and complain about the traffic and people moving out. If we could stop development in Meridian, which we can't, there are state laws that keep us in a pretty narrow lane on that, there will be more traffic in Meridian, because everybody is going to be around us and we are right in the middle and it's going to be more traffic and we have no say over that. So, just one of those things. And I -- I -- I get the -- not liking the -- some of the elements of it. I -- I am not a fan of modern craftsman, Tony. I -- I -- I agree with you, it's just not my thing. But my tastes are not like everybody else's taste. I have to say I have got friends that live in Bridgetower. I love their house. They have a beautiful house. But, boy, the first time we went into Paramount -- I live in a little older subdivision -- a few years a little older. I look and I go you guys are so close together. Where is your side yards? This is terrible. So, you know, I won't have anything to do with Paramount. But no. But it -- but it's -- what I'm -- what I'm trying to point out is it's perspective. It's where we live compared to what's coming in and it's different and so we have to -- we grapple with that. Well, that's not what I have and I don't like that. The situation it is -- it is different. Builders don't build things to not sell homes. They know what the market is. It has changed. It is different. Modern Craftsman is everywhere. But it is and that's what we have to deal with. There are height restrictions on homes, depending on, you know, what they are trying to do. So, it's not -- if it's three stories -- we have three stories in our subdivision, but there -- you really can't tell that they are any taller than a big two-story with -- with a roof. We also have to look at the variety of housing. The house that we live now -- and I look at you as a group, because I fit your demographic -- is probably not the house we are going to live in 20 years from now. My wife and I are talking about what happens when we are this age. Do we want this big of a yard? Are we going to mow this much? It's different. It changes. So, we need the different varieties of housing and the Council has probably heard me preach this before, but it's -- it's just the type of thing we have to prepare our community for, because we are going to see a lot more variety, because people are not wanting the same thing. They don't want

to spend their time on yard work necessarily, they want a small yard and so we -- and when the time comes to sell and my wife and I decide to sell, it might be -- we might have a hard time selling our place, because we have a lot of yard and they are going to want something that is more of a townhome, a condo, some of those other concepts that -- that are being -- going to be offered in this. So, I -- I -- I -- I get that. So -- and you also have to think about this. You are going to fill in the blank here. If that land sells to this builder and you fill in the blank of who you think that is in your mind and they are going to build single family homes on that, will you like that? There is something to be said -- and we have had this happen before with neighborhoods that when you have someone who is invested in that property, not just to sell, to develop it and sell it and move on to the next piece of property and they are tied to that property, there are some good things to that and you have to realize that doesn't happen very often. So, just keep that in mind. But for the developer just a couple of things to note on your thing. Yeah. Fitness parks that's not going to work. It just reminds people what they are not doing. They feel guilty. So, you know, I would feel that. But also concept photos. I know they are concept. It's kind of like. Similar. But don't use one -- that one on the left -- that -- that's dog ugly. I would not want anything like that. Please. No. So -- so, how do we get from where we are to where we can have something that I think you would want to live next to and maybe not your style, but what is it that -- that we want. I think there needs to be more work to find that. Is it R-8 that we can do some things, because we like the diversity, we like that phasing, but maybe the density is not there and -- and I forgot to ask Sally at the time, but, you know, you had in your letter I think 146 down to 120 and I meant to ask you what did that entail, because -- okay. There is a number. I -- I think that you had talked about that -- Michael, that there is probably a number there that -- that they would be okay with. Now, what is that number? How can we make this work, because you also have to understand land prices have changed since our -- our developments were put into place and the land costs have skyrocketed and what they are dealing with today in dollars and cents -- and I believe in the American dream and I believe you take risks and you can -- you should be -- if you are successful with it you can make money. That's not a bad thing. But at the same time that means that has changed, what -- what they can do to make a decent margin. So, I -- and -- and I don't behoove them that, but we have to understand that, it's -- it has changed that way. It's not going to be necessarily 4,000 square feet. Maybe they need those single family homes at 3,000, but it's also a market thing, because people don't want big yards. They want to do other things than spend time in their -- on their yard. They do want the open space. We know that from our surveys that we do for the city, because they -- they want to have that open space, but they want someone else to maintain it, whether it's the HOA or -- or the city, that sort of thing. So, anyway, I -- I don't think we are there with this particular one yet. I think there is a lot of good things that has been expressed, it's just a matter of now how do we -- how do we get there with these folks, because I think that's -- that's the issue you have to think about. What are you willing to say, okay, we can live with that to allow this and to make it a win-win in this situation. So, I hope that helps. But that's -- that's my perspective on it.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: You know, when I first looked at this I got to admit it hit a little too close to home. I looked at this and I felt like I was looking at something that was going in east of where I live currently and it reminded me of the fact that eventually we are going to have a development to the east of us and we want to try to make sure that we get the best one we can. It may not be the one we all want, but will it be the best one? Will it be built well? Is it going to stand the test of time? In the same manner of thinking, I listened to both days of testimony in P&Z and all of the neighbors' concerns and how things were addressed and I still have a tough time with this development. I'm not familiar with the PUD. This is the very first one I have ever seen and so far I don't like it. It's -- it's -- I -- I -- I like to see the open space in these developments. I like to see the place where people can get out and walk. I see you -- you got to have open space off to the side, but we really don't have anything in view and this main section of -- of housing it's -- it's just -- it's private roads. It's public roads. It's parking and it's housing. I think the density is -- is tough. I think there is too much parking on street for the type of uses that are going to be there. I think Council Woman Perreault put it so well on all the other vehicles we are not even thinking about that are going to be parking in front of these residences as we go forward. I really struggle with approving this, but I know there is a lot of thought that's gone into this and I think they are close. I just don't think -- and I know I echo some of these sentiments, I just don't think we are there yet, so --

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I may be kind of a lone wolf. All in all I liked it. I like seeing the PUD come. This might not be the most classic example what the PUD provision is designed to provide for, but -- but I thought the application was really well designed, very creative, a good transition in a relatively difficult spot. I think the Main Street parking comments from Councilman Overton are spot on, but I thought the applicant -- the development team did a good job with this one in a creative way and -- and I would rather not see this spin off into just a regular R-8 kind of Plain Jane housing development that -- from somebody that might not be invested in this -- this particular region. So, that was one of my main takeaways that I could have been supportive of this project.

Perreault: Mr. Mayor?

Simison: Council Woman Pearl.

Perreault: I'm just going to add a couple quick comments. So, I -- I know I have pointed out a lot of -- a lot of the concerns, but I want to say for the positives that I like the creativity of it. I like the uniqueness of it. I agree with Council Woman Strader that I am not a fan of the elevations -- of the designs. I think for me it was as much the -- the coloring and I -- they -- I know these are not going to be exact. It -- it could be that, you know, one very plain looking building that is brown on paper is going to be a beautifully

articulated white building in -- in reality. But my main concern about this -- I don't know that I necessarily think we -- we have to keep it right at an R-8 -- with R-8 standards, but I -- I almost would -- I have concerns about the height of many of the buildings and I -- I do have concerns about the proximity of the buildings to one another. If you want to call that density I guess that's what you can call it. I don't think of density that way. I think of density more as the entire project -- you know, how -- how -- the space within the entire project. So, that being said I definitely think there is still some adjustments that need to be made. Agree with all of Council's thoughts on what's happening with the on-street parking, including I would like to see adjustments to on-street parking in all of the corners on the public streets, not just on the street that runs through the middle and -- but as Councilman Borton was saying, I -- I like the uniqueness of it. So, I don't want to take away from that. I just think it needs to be adjusted so that it is not so compact and if the intent of the developer was to have housing that's -- that is residential that's closer together, but, then, create these community spaces, I don't know that they accomplish that, because there really isn't that much diversity in -- in community spaces within the whole development. But there is one central space there on the east side and, then, there is the park that really is not connected and -- and, then, that's it. I don't see it spread out I guess within the development. I understand there is some constrictions, but I don't see it spread out within the development such that every property owner is really going to have great access and have great usability of the amenities that the developer is intending to create by doing the PUD. That's all.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor, I -- if Mr. Slavin would come up and I'm -- I'm just curious to get your opinion on -- you know, there is some things about a PUD that allows you creativity based on what you are hearing. So, is that something we delay and -- and you work with -- it sounds like you have a great relationship with the neighbors, which to your credit for your -- your outreach or is this something we just start over with? I mean what are -- what are your thoughts? What direction would you like to go on -- on something like this at this point in time? Yes. Yes. Please. We haven't closed the public hearing, so --

Slavin: I first want to thank you all so much for your attention and deliberation. It's -- it's really cool to see a city that cares so much and I really mean that. This is a big deal and we -- we don't take it lightly either. And I love all the comments that have been made tonight. I love the positive tension. That's when you know you are doing something right, because it should be a little bit on the edge, because you want to innovate. And -- and to Jessica's point, to address your question, is that we would love the opportunity for a continuance to come back and demonstrate how we are satisfying, at least in our view, the idea of a PUD. Because what -- and we did ourselves a big disservice. When you look at the little plan -- I think it's displayed now. You see hardscape areas and these little dots that represent fire pits and hangout areas and the community garden on the far left side next to the park and there is a big paved space

that actually represents the pool house and there is a tool shed that everybody can come share tools and a bike -- like a bike shed, et cetera. So there is all these cool things that this -- this plan doesn't do justice because the scale so tiny and so we spent so much time on these little dots and so much passion on those dots and we would love to come back and expand these dots, so you can see a much more specific plan of how we feel we are meeting those requirements.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. Just -- I'm just going to push you a little bit, because I just want to understand. So, if -- if you get -- if you request a continuance, is your intention to come back and just further justify the exact same plan and why you feel you meet the PUD or are you guys open to making changes and we could expect to see something that maybe better fits with the neighborhood and addresses these concerns? I just want to make sure, because I think there is kind of a difference.

Slavin: Yeah. That -- that's a great question. Excuse me. I think in elevations, in all honesty -- and maybe we are terrible for doing this -- is the application wants to give examples. We -- we Googled examples of stuff and put it in the application. So, please, again, I think -- and we worked really hard and the really bad little brown renderings, those are actually brick buildings we put a lot of effort into and one thing financially we wanted to do with this is -- is why the density is higher, is that allows us to create more open space and a lot more amenities, as well as to put much better finishes on the outside of the homes. Because what you have seen in the valley in the last years -- year and a half, technically, construction costs have escalated by a hundred percent and so now what most developers do is they put up the cheapest materials absolutely possible that wiggle through the design standards to satisfy the design standards and we wanted to go the extra mile with our -- our finishes on this project to make it more timeless and so I think that we would be happy to just finish this one to address site amenities and really drill down on the open space, because even in the center of this triangle it looks like there is a lot there, but that's actually, you know, pool house, barbecues -- all sorts of cool stuff that people that live in communities like this really enjoy and in other seating areas throughout the site. We would love the opportunity to I guess expand further. As far as, you know, moving density around we are running so razor thin offering all these amenities and high end finishes on homes, It's -- it's tough to -- to cut away, because once we start doing that finishes get to be less and community amenities get to be less.

Hoaglund: Michael? Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: And Michael. Just a question about Bergman. I know it's done for traffic calming situations, but I was just wondering -- you have buildings there, if there is a way

to make it so it's just an S that meets that straight portion in the -- in -- in the curve there and make it so it does traffic calm, you can re -- reconfigure the open space and maybe the parking that goes into where that street was, just it -- it's just a -- such as there -- there -- there is a disconnect. You need parking. It's on-street parking. ACHD is going to require it. So, can we refigure that to make that work for everybody where, okay, you have traffic calming, but they don't have to park there. They can park off of Main Street, but you still can have the open space and access to the buildings and different things. To me that seems like one of the hang ups on -- on that, as well as parking on -- on the other -- other areas that come into the subdivision are -- are going to have to be looked at. But that -- that was one thing that kind of stood out to me. That seemed to be a point of contention with -- with folks. Yeah. Density. I -- I get why you -- you know, zigzagged those buildings, because we want that articulation. We don't want things to be uniform and straight down and so that was very innovative but -- you know. So, yeah, you could just pop them all out and put them to be a zero lot line, but are there things like that that you can do that keeps the uniqueness and the identity for the vision that you have for that whole development, because you do have that vision for that whole thing, not just, well, we are just going to build it this way and -- and move on. You guys are invested in that for the long term. So, is there a way to keep that, but -- the uniqueness, but yet still reconfigure things, make it so it doesn't look so dense -- and maybe it is partly how it's presented here. But what will that look like and -- but work with the neighbors, see if there are some things there that -- I -- I think they have an understanding, too. They -- we -- we get people all the time who come and they have really unreasonable requests. It's just not going to -- it's outside the realm of any possibility. I didn't -- I didn't see that tonight. I mean these are people who care about their neighborhood. They want a nice development. They see good things about this. And -- and there might be some things they are going to ask you, because we don't know your financials and those types of things -- and I don't want to know, but -- that you can't do. But is there some commonality that you could find some areas that people can accept? So, I think -- I'm willing to give you more time to do that and -- and to follow up, then, on that, Mr. Mayor, how much time do you think that would take? And I -- and I know time is money. I -- I get that.

Slavin: Yeah. Well, interesting enough -- and thank you. There is a couple questions there -- is one that we would, you know, happily look -- relook -- we look at this thing we called the turtle head. So, that's that squiggly road and -- and I -- as I understand it this is before our time on the project. That was a traffic calming measure that was a misinterpretation by the development team at the time and not maybe necessary, but that is a quick trip to ACHD to see how we can enter the -- the collector road. Because what you see there just north of it there is actually the sewer easement that we can't build on, so we built that as an amenity park, too. So, it's an easy thing to do with the road. So, what you are -- are you suggesting just to run that thing directly north to the collector?

Hoaglund: Uh-huh.

Slavin: Okay. I mean that's something we can -- we can address that -- hopefully that answers the first question. Secondly, we can certainly look at the site plan again. Last thing I would like to call -- call attention to is with open spaces. When you look at the -- the townhomes just north of -- on the new drive that we -- we would be installing, just -- just north of single family homes, we did those in patches of two. So, each of those townhomes has three -- three sides of light, which is really big for townhomes, because we could stack them closer with our provisions, but the problem is they are not as nice to live -- any middle townhome is a gunshot and just kind of get light at the ends and they are just not nice and so we sacrificed in that since to open the space up more. Oops. Sorry. But those are the things we would be happy to look at. As far as time estimation, I would be somewhat confident we could do it in a month, but we have to, you know, talk to our design team and make sure they have time and allocation and -- and make sure they drink a lot of coffee and work really hard. But we might be able to do it in a month's time.

Hoaglund: And Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I would envision another meeting with neighbors to get input and see what -- see what they can come up with. I think you got some committed neighbors to help you be successful, you know. So, I think that's a good thing.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. Just -- I just want to understand where you are coming from in terms of density and meeting with the neighbors. Are you just saying from this point forward -- like you will not adjust the density, you will refine your design more, et cetera, but that's totally off the table. Because I just need to know, because that -- that will influence how I vote.

Slavin: Sure. Yeah. With -- with that I'm not trying to be cute at all. It's just pushing the performance we did off recent construction numbers and having level finishes of brick and all the levels of amenities, it's really tough. Like every unit means a lot to us. It means a lot. I mean we could run them again, but --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. That's tough. I understand. Believe me, the conditions right now in the -- in the market for development between the interest rate environment and construction costs and labor, it's crazy. I just -- I can't gear how I vote toward those market

conditions, unfortunately. I just -- I have to just try to look kind of from a long-term perspective. But I appreciate you saying that. Thanks.

Slavin: Appreciate it.

Simison: And -- and just -- again I'm trying to listen to what I have heard from Council. I don't want to waste people's time. If we are just going to come back and see prettier pictures of more detail, I -- I'm not hearing that's where Council was lying in just more details personally based on what I have heard. So, if -- if -- I don't want to, again, waste your time and I don't want to waste Council's time and I don't want to waste the community's time if that's what the intention is is just to further define what you have on paper.

Slavin: May I respond really quick?

Simison: You are more than welcome. And I'm -- I'm just trying to interpret to save everyone time and energy and money.

Slavin: And I'm a little bit nervous about it without speaking to my -- my financial partners, because those are big decisions to make with cutting density. That's something I would hate to make a promise on by myself without talking to my partners. And so I mean if that's something everybody is willing to do on our team, then, that's something we would be happy to address.

Simison: Yeah. Come on up. Come on up, Tony.

Slavin: There you go.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Before -- no. Come on. Before -- to -- to throw this in, one -- one thing I wanted to say is the lighting that's going -- that you mentioned you would be willing to do, we have had folks in Paramount who have complained about the streetlights going straight into their windows and so just on -- I wanted to -- as part of your response, understand that these are not streetlights like we are thinking of. We are talking about like pathway lighting; right?

Tseng: Yes. Absolutely.

Perreault: Okay. Because street -- the streetlights are causing lots of issues from Orchard Park. As a matter of fact, they -- like it's been run through our -- our planning staff and building staff and they have answered a lot of questions from people about -- and they have directed them to the highway district who said there was a lighting study

done and it's -- there is people that are investing in like serious blinds, changes, window changes darkening, windows because it's caused so many problems, so --

Tseng: I mean we would literally let the people who live on Bacall, Arliss, decide the lighting. I mean I have been talking to them, I have visited two or three of the neighbors regarding the fence. They let me in their homes. Looked at the fences. I'm getting to know that community pretty well. Really nice people. And if -- we will do another survey. No one's going to -- by the way, they are not all going to agree and we will have to probably do a majority, as some people will be upset. But we want lighting in there, as long as it's not like super -- you know, super super expensive. Normal lighting. We will let them decide. Yeah. We don't -- we have no preference; right? Because it's -- it's needed and whatever type they want we are happy to give. Oh. So -- so to answer your question. Sorry. The reason I walked up here. Is that, yes, look, it comes down to the -- and so the answer is yes, because I -- I -- I can feel the room. If the answer is no, it's not going to happen. So, the answer is tentatively yes and we might not show up at Council next time if the answer is no, which means get some pencil; right? So, I have to say yes to get an opportunity to speak with friends again and if we can't make it pencil, then, it's the same thing as a no. So, the answer is, yes, with an asterisk. I'm not going to -- if I don't show up, I -- I just don't want to break our promise.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. That's perfect. I just -- I just want to know that like part of what you are going to look at is actually making changes and not just like bringing beautiful --

Tseng: No.

Strader: -- photos and renderings that -- because that -- that's not fundamental -- at least for me. I don't speak for anybody else. That's not for me fundamentally what the issue was.

Tseng: Yeah.

Strader: So, if -- if you are going to take a hard look at it, I don't see the harm in giving you a continuance if there are positive changes that could bring you better into alignment with what we want to see.

Tseng: It seems like, you know, from the feedback, working with the neighbors is important to you guys and we will work with the neighbors. Density is important to you guys. We are going to work on density. We -- we hear what you guys are saying. We are not -- we are not trying to sidestep any of the issues. You know, I really appreciate -- when Michael says that we appreciate feedback -- by the way all those elevations will be deleted. It really was one of the things I said, they just need some conceptals and I

was on Google for like 17 minutes and that was my mistake. So, I apologize for that. Not him, it was me. I was the Googler that made the mistake.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. But bring something back that -- that does look good, that looks like it's a little bit better fit, please. Because --

Tseng: Yeah. Absolutely.

Strader: -- and there is a -- there is like also just, then, I had just seared into my mind what I have seen; right? So, that's -- that's a problem now you have to overcome, but --

Tseng: Yeah. The funny thing is that -- that white building you are talking about is a development in Phoenix. It's called Phoenix -- Karma Phoenix. Their layout is beautiful. Their exterior was horrible. But we loved their interior layout. But, again, that's on me.

Strader: We appreciate you saying that you will look at the density and look at making some changes and I think hopefully if you are able to make changes -- you know, I do agree it's -- it's better than what could end up happening. So, maybe there is a compromise here. I would -- I would love to see it given an opportunity if it can happen for sure.

Tseng: Okay. We appreciate the possible opportunity.

Simison: And leave the condos. I mean -- sorry about that. It was my -- I didn't really speak much on this. I'm a little bit more in Councilman Borton's camp in general. I -- I like the uniqueness of it. I -- you know, I think it is a standalone project that works really well. Maybe challenges as mentioned with the -- with the connection to others. But I think that this project could exist in Meridian. Here I don't know. Density I don't know. But as a general concept I didn't have as much -- the -- the white barn thing was no from that standpoint, But, anyways, just --

Tseng: Thank you. Yeah.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: We get -- we understand that -- that this isn't done until it goes through staff. You know, you -- you are going to -- you are going to do it in line with our code. You are going to review it with staff. However, we have a public that doesn't always completely understand how that process works. So, when they look -- when they get online and they look at that, they are, they are -- the question is like, oh, my goodness, this is what

they are doing and we -- for -- for them we want to have clarification. For them we want them to be able to look at the -- at the file and be able to see what's really going to happen. So, that's part of the request to have more accurate renderings; right? We understand that you don't have to, but we just think it's fair to our public to have that happen. The other thing I would say is this is one of the hardest applications I have ever had to view on a computer. I really struggled. I was zooming in and I was zooming out and I was moving it around and it took a lot of time, because you -- you have a correct assessment that there were several things missing that would have been helpful. For example, if you had a -- an exhibit that showed exactly -- like here is the -- what they call ribbon townhomes, which is a word I have never heard before, but I figured out what they were, because they are -- you know, they are long and -- okay. Here is -- here is a map with the ribbon townhomes are green and the two -- you know, the two-story townhomes are red and -- like that -- like the type of unit, if we had a map that just showed these are the condos, these are the ribbon townhomes -- it kind of does on the parking a little bit, but it wasn't about -- it was -- that was about parking, It wasn't about the actual type and what -- how many stories they are going to be. So, that would be really helpful to just say, you know, the -- the single families were -- you know, I just kind of like here is what -- I kind of figured it out from the -- the lines, but like it took me a while just to figure out of the -- of the multi-family units -- okay. There is six that are three story and there is two that are two-story, but why? And, you know, what -- what -- like it just -- and then -- and, then, when you threw in the elevations there were like six or seven single family elevations. I'm like, okay, where is all the elevations for -- I think you will find those in the staff report. So, lots of problems just reading the application and helping it make sense for me on what it was that you were attempting to do. So, you were accurate in that there would be a lot more helpful to dial in to some micro areas of the development, so we can get a sense of what is intending to happen. Just -- just for some feedback.

Tseng: Thanks. Thank you. And we will definitely work hard on that.

Perreault: Yeah. Absolutely.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor, I move that we continue the public hearing for H-2022-0022 -- H-2022-0027 until March 21st.

Overton: Second.

Strader: Mr. Mayor?

Simison: Was that a second?

Strader: Second for discussion. Second for discussion.

Nary: So, Mr. Mayor, Members of the Council, what I heard the developer say it would be about a month for them. But I wanted to make sure staff has time to analyze it as well and probably you want to make sure the public has an opportunity to see it on the record. So, I don't know if -- if it takes them a month and we submit it -- about a month from now, there is not a lot of time to review it before it has to be scheduled for Sonya to do an updated report. So, I just wanted to make sure there is enough time for everyone.

Slavin: I think that's a great comment. Sonya, how much lead time would you need to have new materials to prepare a report for Council, to see if we could back into that time frame.

Allen: Yes. Mr. Mayor, Council, applicant, our code requires that any revised plans be submitted at least 15 days prior to a hearing.

Slavin: Okay.

Allen: So -- and we -- we, quite frankly, are -- are very short staffed right now and this -- this staff member is pretty fried, so I apologize to all for my lack of better responses tonight. But, yeah, probably a little further out would probably -- I -- I -- I imagine it's going to take you guys some time to get things rounded up, too.

Slavin: Sure.

Allen: How long do you think it will take you to get revisions made?

Tseng: We will get it done in three weeks.

Slavin: Yeah. Lots of coffee. Emily, are you comfortable with three weeks?

Allen: Yeah. And they need time to meet with the neighbors and -- you know, I would say a minimum of six weeks out.

Tseng: I think we can get it done. I honestly do. I think the -- the change that we have to make I kind of can picture in my head. I mean I'm going to bug Sally until she meets with me anyways and whoever wants to show up and she's nice enough to not say no. So, we are going to -- I think we are making it happen. We have two weeks. I think we will make it happen. Three weeks.

Hoaglun: Mr. Mayor? I -- I think we have -- we have one hearing on the 28th. That's a big one. Is that right; Sonya? On the 28th?

Allen: We have two scheduled right now. This would be a third. One of my projects is probably going to have issues.

Simison: We can make it to the 21st. If we don't make it we could continue it for two weeks after that for that six week period and I think the community is here still, they have -- they have heard and I think there is good communication, but you could try to go that way.

Hoaglund: March 21st. Yes.

Simison: So, I have a motion and a second and we have had kind of discussion. Is there further discussion?

Strader: No. Just -- I'm -- I -- I will be here if I can be.

Simison: No guarantee.

Strader: No guarantee. I might Zoom in from an unexpected place.

Hoaglund: Keep your mic off.

Simison: All those in favor signify by saying aye. Opposed nay? The ayes have it and the item is continued.

MOTION CARRIED: ALL AYES.

Slavin: Thank you.

FUTURE MEETING TOPICS

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

Hoaglund: Move to adjourn.

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

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 10:29 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT E. SIMISON

ATTEST:

DATE APPROVED

CHRIS JOHNSON - CITY CLERK