

A Meeting of the Meridian City Council was called to order at 6:01 p.m., Tuesday, October 25, 2022, by President Brad Hoaglun.

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

Members Absent: Robert Simison and Treg Bernt.

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

ROLL-CALL ATTENDANCE

<u> </u> X <u> </u> Liz Strader	<u> </u> X <u> </u> Joe Borton
<u> </u> X <u> </u> Brad Hoaglun	<u> </u> Treg Bernt
<u> </u> X <u> </u> Jessica Perreault	<u> </u> X <u> </u> Luke Cavener
<u> </u> Mayor Robert E. Simison	

Hoaglun: All right. Ladies and gentlemen, let me call this meeting to order. For the record it is Tuesday, October 25th, 2022. You are at our city council regular meeting and to begin this meeting we will start with roll call attendance. So, Mr. Clerk, if you could call the roll.

PLEDGE OF ALLEGIANCE

Hoaglun: All right. Next item of business is the Pledge of Allegiance. Would everyone please rise.

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Hoaglun: Our next item is the community invocation. We will be led tonight by Pastor Vinnie Hanke and so, please, bow your heads or take this as a moment of personal reflection.

Hanke: Good evening, City Council Members. Thank you again for the opportunity to come and pray for you as you begin your meeting. God, we thank you for this evening. We thank you for, God, just the change in seasons. It reminds us of the passing of time and ask that you would help us to acknowledge your control and sovereignty over each and every day. I pray for this Council meeting. Would you help them to listen to what is brought before them with wisdom, with discretion. Would you help them to make decisions that would bring unity and peace and benefit to the citizens of Meridian. And above all, God, we ask that you would help us to be a city full of neighbors that would

love one another and ultimately glorify you and I ask this in the name of the Savior, Jesus Christ, amen.

Cavener: Mr. President?

Hoaglund: Yes, Councilman Cavener.

Cavener: Just a quick moment of privilege if I may. I just wanted to thank Pastor Hanke. You know, he has been kind of a fixture of our meetings over the past year attending these on a fairly regular basis and I just wanted to say thank you for your prayers have resonated with me in each of our Council meetings and in -- in my home and I just -- I know it's time away probably from friends and family and your church and I just want to thank you for the commitment to doing it.

ADOPTION OF AGENDA

Hoaglund: Thank you, Councilman. Our next item is adoption of the agenda. Council Woman Strader.

Strader: Mr. President?

Hoaglund: Yes.

Strader: Move that we -- it looks like there are no changes, so I would move that we adopt the agenda, for you to sign and the Clerk to attest.

Perreault: Second.

Hoaglund: Just to adopt the agenda as published.

Strader: Oh. Sorry. As published.

Hoaglund: And we have a motion and a second to adopt the agenda as published. All those in favor signify by saying aye. Any opposed? The agenda has been adopted.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

PUBLIC FORUM – Future Meeting Topics

Hoaglund: Mr. Clerk, public forum. Do we have anybody signed up?

Johnson: Mr. President, we do not.

ACTION ITEMS

1. Public Hearing continued from September 6, 2022 for Overland & Wells II (H2022-0030) by Morgan Stonehill Partners, located at 2600 E. Overland Rd.

- A. Request: Development Agreement Modification to change the existing development plan (Inst. #2016-060157) on the northern portion of the site from a retail grocery store to multi-family residential.
- B. Request: A Conditional Use Permit for a multi-family development consisting of 351 apartment units on 11.65 acres of land in the C-G zoning district at a gross density of 30.21 units per acre.

Hoaglund: Okay. The next item is the Action Items and tonight's public hearing has been continued from September 6th. This is H-2022-0030. Sonya, you to provide the staff report; correct?

Allen: Yes.

Hoaglund: All right.

Allen: Thank you, Councilman Hoaglund. Council. Just a moment here. Alrighty. The first application before you --

Hoaglund: Sonya, I guess I -- do I need to say -- I think, Chris, that we are officially opening the public hearing on this item, so --

Allen: Thank you.

Hoaglund: Now we are official.

Allen: Alrighty. So, the first application before you is a request for a modification to the existing development agreement and a conditional use permit. This site consists of 11.65 acres of land, 18.75 for the overall site. It's zoned C-G and is located at 2600 East Overland Road. This property was annexed in 1994 and a development agreement was approved in 2016, which was later amended in 2020. A preliminary plat was approved in 2021, which included the adjacent property to the east. A final plat has not yet been approved for this property. The Comprehensive Plan future land use map designation for this site is mixed use regional. The applicant has submitted a modification to the existing development agreement to change the development plan on the northern portion of the site from a retail grocery store, as shown on the left -- so just back up a second. It's everything north of Cinema Drive here that they are proposing to modify and they want to change the development plan to multi-family residential and vertically integrated residential as shown on the right. The multi-family development is proposed to consist of 345 apartment units and the vertically integrated residential as proposed to consist of three commercial workspaces with two dwelling units over each commercial workspace

for a total of six units. A conditional use permit is requested for the multi-family residential development, which will include a mix of studio, one and two bedroom units at a gross density of 29.61 units per acre on 11.65 acres of land in the C-G zoning district. The conceptually approved Winco grocery store on this site would have provided a regional draw to this area as desired, whereas residential uses do not, but they do provide housing for workers in the mixed use regional designated area and the general vicinity. A multi-family residential development consisting of 360 units by the same developer was recently approved to develop on the adjacent property to the east. This is proposed to be the second phase of that development. Although the residential uses are not integrated with the adjacent commercial uses as desired in the mixed use regional designation, pathways are proposed for pedestrian connectivity between these uses. Staff is not recommending a mix of integration -- mix -- an integration of uses with this development as is typical in -- in MUR areas, because the property has already been entitled with zoning. Access is proposed from the south via South Wells Avenue to be extended from East Overland Road or mobility corridor with the first phase of the subdivision and from the west via East Cinema Drive, a local street, with the second phase of the subdivision. This site is approximately a half mile west of the Overland and Eagle Road intersection on the south side of the I-84 off ramp. Transit services are available to serve this site. Overland Road is listed in the CIP to be widened to seven lanes from Locust Grove to Eagle Road between 2036 and 2040. The intersection of Eagle and Overland Roads is listed in the CIP to be widened to seven lanes on the north leg, eight lanes on the south, eight lanes on the east and eight lanes on the west leg and signalized between 2031 and 2035. The ACHD report states the p.m. peak hour level of service is E, which is an acceptable level of service. Although overall the level of service may be acceptable, certain roadway segments and/or intersections, turning movements are currently failing and will be worse with the adjacent multi-family residential development to the east and the proposed development approved. This should be considered when determining if it's appropriate to approve this application prior to the aforementioned improvements planned with the CIP being completed. Off-street parking is proposed for the multi-family residential development in excess of UDC standards. A minimum of 640 spaces are required. Six hundred and forty-three spaces are proposed. Bicycle parking is proposed in accord with the minimum standards. An additional ten spaces are proposed for the vertically integrated residential use as required. A minimum of 3.15 acres of common open space that meets the standards for such is required. Common open space exhibit -- excuse me. Let me grab that here. Right there. Depicts 2.55 acres of common open space consisting of linear open space among the north and west boundaries of the site. A park with grass consisting of 9,803 square feet in area. A large amenity area. Rooftop terraces on the clubhouse and leasing office. And street buffer and additional common area along East Cinema Drive. There is a 20 foot wide sewer easement located along the west boundary of the site, with a 14 foot wide access road that will prohibit landscaping in that area. Therefore, much of that area will not be able to be counted. An alternative compliance application was submitted earlier today to the common open space standards, which has not yet been reviewed or acted on by the director. A clubhouse and swimming pool and other site amenities are proposed for the development that exceed the minimum standards. Conceptual building elevations and perspectives were submitted as shown for the proposed structures. The two northern

buildings will be four stories in height. The two southern buildings will be three stories and the clubhouse will be two stories. A modernist vernacular theme of design is proposed with a monochromatic color palette of off whites and shades of grey, with lap siding accents and decorative balcony railings for color and texture. Final design is required to comply with the design standards in the Architectural Standards Manual. The Commission recommended denial of the conditional use permit. The Commission was not a recommending body on the development agreement modification request. That's only a city Council decision. And I will go over a summary of the Commission public hearing. Elizabeth -- excuse me for butchering your name. Elizabeth Koeckeritz, Givens Pursley. Jonathan Fragoso. Morgan Stonehill Partners. Ryan Morgan and also Morgan Stonehill partners. No one testified in opposition or commented on the application. Written testimony was received from Greg Goins, Winco Foods. He's in support of the proposed development. He states that they plan to remodel the existing Winco on Progress Avenue and don't intend to build a new store in this location. Through their due diligence they have concluded that this is not a favorable location for another Winco and it's not in their best interest to sell this land to another commercial or retail user. They believe this is the perfect in-fill location for more multi-family residential development. Another letter was received from the applicant's representative Elizabeth Koeckeritz, Givens Pursley, in response to the staff report. In regard to Condition A-3, which requires a final plat to be submitted, approved, and a plat recorded for the second phase of this subdivision in order to create a developable parcel prior to submittal of a CZC and DR application for the proposed development. The applicant requests approval to submit the CZC and DR applications after the final plat for this phase has been approved by Council, but before it is recorded. And just to note that that does not constitute subdivision of property, Council's approval. The findings for the first development agreement amendment and preliminary plat require the property to be subdivided, i.e., a final plat recorded prior to submittal of any CZC and DR applications for the site. Therefore, this request cannot be granted. Condition B-2.9 requires street signs to be in place, sanitary sewer and water system to be approved and activated. Roadbase approved by ACHD and the final plat recorded prior to applying for building permits. The applicant requests this condition is amended, so that they may apply for building permits after the final plat is approved, but not yet recorded. Again, the final plat is required to be recorded first in order to create a parcel that's eligible for development. This request cannot be granted. And, lastly, condition A-2 requires a revised common open space exhibit to be submitted prior to Council that complies with the minimum standards and the -- the applicant, as I mentioned earlier, is proposing -- proposing a request for alternative compliance to these standards. Staff has not acted on that. Key issues of discussion -- discussion by the Commission are as follows. Desire for better pedestrian access and walkability to be provided to adjacent businesses and employment uses within the area from the proposed development. Concern pertaining to the impact on traffic in this area if the proposed development is approved and not in favor of more apartments on this property as the multi-family development to the east was approved largely because a retail grocery store was conceptually approved to develop on this site. The Commission recommended denial of the application for the following reasons: Traffic concerns and the approved development plan for this site is retail space and desire for it not to change. Written testimony has been received since the Commission hearing from Sean Freeman. He is

opposed to the proposed modification to the development agreement to allow multi-family development in place of the conceptually approved grocery store. He believes the city's infrastructure cannot support anymore high density residential projects and approval of such will negatively impact the city in the future. And another letter from Greg Goins, Winco Foods, pretty much the same as the first letter. He is in support of the proposed modification to the development agreement and the multi-family development. He states this site was originally purchased to relocate their store at Progress Avenue. Since that time the impact from COVID and the housing growth in the Meridian and the Treasure Valley area made it no longer economically feasible to do so. Instead they plan to remodel the Progress store and eventually build a new store in south Meridian. Outstanding issue for Council tonight is the Council should determine if the Commission's recommendation of denial of the conditional use permit for the multi-family development is appropriate. Staff will stand for any questions.

Hoaglund: Thank you, Sonya. Any questions for staff?

Strader: Mr. President?

Hoaglund: Council Woman Strader.

Strader: Thanks, Sonya. Could you pull up the future land use map or the one that shows kind of all the uses -- yeah. If we look at this overall area of mixed use regional, what percentage have we approved that's -- if you know this -- that's multi-family versus retail versus commercial?

Allen: Council Woman Strader, I'm sorry, unfortunately, I do not have those calculations.

Strader: Got it. And then -- I mean certainly with these two developments together it's well over 600 units total multi-family. Are you aware of any other multi-family units that we have approved in the last year that come to mind in this area?

Allen: Movado to the south.

Strader: Yep.

Allen: We have more on the east side of Eagle. The BVA-Brighton development.

Strader: Uh-huh. I remember that one.

Allen: Yeah.

Strader: Okay. Yeah. That might be something I will circle back to. I just think with this area, how it's developing, I kind of want like a holistic -- and I apologize, I should have sent this question before the hearing, but I would like a holistic look at the uses that we are getting out of this area. Just really worried we are getting a lot of mixed use regional that's all turning into multi-family and that concerns me. Thanks.

Hoaglun: Any other questions for staff? All right. Is the applicant here? And who will be coming up first to speak? Need to give your name and address for the record and we will give you 15 minutes.

Fragoso: Jonathan Fragoso with Morgan Stonehill. 2700 East Overland. Morgan Stonehill. Very grateful for the opportunity to present in front of you -- in front of the Council again to present another project for your consideration. A little over a year ago the Council approved phase one, which was 360 units to the east of the subject property. Currently we are on track to pull building permits immediately pending the recording of our final plat, which is with the assessor. We are excited to start work on that project and deliver much needed housing. To give a little background on how this -- this project came about -- in late 2021 we were approached by Winco Foods to acquire this property. After -- as Sonya pointed out in her staff report after performing due diligence and evaluating the performance of some existing -- of some new stores that opened, Winco elected to focus their growth efforts further south consistent with the growth patterns of the City of Meridian. Based on the strong performance that they saw at Chinden and Linder and the existing Meridian Road store, they wanted to find a second -- or third location -- are committed to having three locations in the City of Meridian. Just that their location will be a little further south. Similar to Planning Commission sentiments, we were very shocked and we mourn the loss of the Winco -- next to a Winco was one of the reasons why we loved our site for phase one and it was going to be a great amenity for the residents there. However, we jumped at the opportunity to bring some much needed housing in an area that we believe really merits it and is well equipped to handle additional housing. From the onset when we were first presented with this project we set out to create a unique one of a kind project that's not like anything else and very differentiated from phase one. The ultimate goal of having both projects appealed to all styles of living. Unlike phase one, this project takes influence from more modern and urban design elements and whereas phase one was more driven by a farmhouse contemporary look. But, again, just want to stress that our goal with this project is to offer a variety of housing types that we believe to be the ideal area along I-84 with close proximity to great jobs. One of the other things in the design element of this project -- we sought out to emphasize and create gathering areas and walking trails that not only connect to phase one, but also highlight the interconnectivity of the proposed apartments and the future retail to the south. Ultimately we envision creating a community anchored by two apartment projects with ancillary retail services on the remaining five acres. The goal is to have -- create a community where someone can grab a meal or dessert, walk back over to the plaza area along Cinema Drive and enjoy a nice conversation and dinner with their family or take their ice cream or food or snack and go on a walk through the interconnected trail system. With that, given a little context, I want to introduce Ryan Morgan to speak a little further on the project.

Morgan: Good evening, everyone. Ryan Morgan with Morgan Stonehill. 333 Josephine Street, Denver, Colorado. It's a pleasure to be standing in front of you all again. One thing about being a developer -- what I really enjoy about being a developer is really learning and getting to know our neighbors. So, it was wonderful when we had our neighborhood meeting that those who actually attended were the owners of the -- some of the commercial uses in the area and they had overwhelming support for our project for

a number of reasons and, actually, based on that I was able to go and -- probably within a quarter mile walk into every business and talk to the managers, people that worked there and the owners and ask them if residential in this section was something they really wanted to see and everyone jumped at the opportunity, like we love people can walk here. We love the interconnectivity and we love that we can actually have housing for people who can work here. As everyone knows, it's very hard to find people -- or employees to come work in a lot of the businesses that are surrounding this area and not only will we be able to provide housing, but we are providing rooftops for people to actually access and participate in the local businesses. We had a few letters of support that I believe should have been sent to Sonya from a few of the neighbors, including the Cinema and the Hideaway bar, as long as -- and hopefully a few others that had mentioned they were going to send letters, but it's been a wonderful process getting to know the neighbors and hopefully add to their -- their attendees and the neighborhood in general. I will turn it over to Deb Nelson to take it from here. Thank you.

Nelson: Thank you. Good evening, Members of the Council. Deborah Nelson. 601 West Bannock Street. I'm here on behalf of the applicant. First want to say thank you to Sonya for her work on this project. We are actually in full agreement with all of her conditions of approval. The applicant withdrew the request to change the conditions that she noted at the Planning and Zoning Commission. So, we accept all of her conditions as stated in the staff report. And as has been noted we are asking for a change in the site plan and the existing development agreement through a DA modification and that's shown here, the old plan and the new plan. There is still future retail shown here on the south in concept that will be along Overland between the proposed apartments and Overland Road. The proposed development is consistent with the mixed use regional designation, which calls for a mix of employment, retail, and residential uses and specific to Council Member Strader's comments, at the opening here you can see this large area. We don't have the percentages that you asked about, but you can at least see by color breakout the retail and hospitality are the purple areas, offices in green, with medical in red, which is similar to office. Single family homes in yellow there. And the blue and multi-family, including our first phase and the other projects that were mentioned with the Movado to the south and the Brighton project, you are still at only a 1.46 density of units per acre. Your plan calls for a range of six to 40 throughout the entire area. So, there still is a need for higher density residential in this area to support the employment opportunities and the concentration of transit and arterial roads. Also the proposed apartments are on an in-fill site that's along the freeway behind the retail and continuing the transition from that single family residential that you can see in the yellow over to the more intense uses with the commercial. So, not only is this consistent with your FLUM, but it's also consistent with other objectives in your Comprehensive Plan, including to focus on areas that are within the city limits that are vacant in-fill properties that would benefit from existing services that don't cause you to extend the boundaries of the city and that also provide higher density housing along transit corridors and provided a mix of housing units. In fact, this is along transit with Valley Regional Transit Line 42 running right along the site providing connectivity all the way from Nampa to Boise and including local businesses, shopping opportunities and employment opportunities. In addition to the DA modification and consistent with the existing zoning, we are asking for the conditional use permit for the

multi-family use with 351 apartments and four horseshoe shaped buildings that step back in height from Overland, designed in a way that creates these attractive streetscape perspectives, concealing the parking and internal areas and some tuck under garages creating courtyard style open space areas and several -- the larger open space in the middle, but also several smaller gathering spaces throughout. Got a boulevard feel entrance that -- with the focal point of the -- of the clubhouse as you enter the property, as well as a wide east-west corridor creating that connectivity and view scape, all integrating and connecting to the adjacent commercial uses. This aerial really shows that arrangement and how that creates that urban like block pattern that called for in your Comprehensive Plan for the mixed use regional area. This view also showcases the plaza area that will integrate with the plan retail to the south, providing outdoor seating and gathering to support and integrate both of those uses. Here you can see through some perspectives. The apartments will include a mix of studio and one and two bedroom units and a range of sizes with patios and balconies, open spacious floor plans, large island kitchens that are ideal for entertaining. Large bedrooms with walk-in closets, dual vanities, large showers and ample storage space and all in all quality apartments. And in further keeping with the mixed use regional designation, the project includes three live-work units located along the southwest edge of the plaza where residents can conveniently live and work within their same unit. You can see here that plaza area to the south that I mentioned that is in between the residential and the future retail to the south with landscaped and terraced seating that will integrate the two uses and here are some more views of that plaza area. The architectural theme is that modernist vernacular, really a more urban style and really emphasizes clean lines, simple color scheme, but with punctuations of accents from lap siding and decorative balcony railing for color and texture. This combination of elements and forms and color palettes creates a balanced, soft composition with appropriate depth and human scale and provides something new and unique for the area. Here is some of the concept themes example products. Little more focused on the open space areas here. The project includes this wide perimeter walking path on the north and west sides and it will connect over to phase one to create a larger loop serving both properties. Open space areas include the large -- a large centralized amenity area with the park grassy lawn area, a striking two story clubhouse with rooftop terrace, pool, barbecue, seating and hammock lawn. A second 1,200 square foot rooftop terrace shown there centrally in the purple color will overlook the central amenity space as well. Kind of a unique amenity area for residents. Your significant landscape buffers providing screening along all the perimeter borders and significant amenities here. You can see here the 3,800 square foot clubhouse with game room coffee bar, lockers work classroom stations, event space, 3,500 square foot 24-hour fitness facility with yoga and spin studios. I already mentioned the rooftop gathering spaces. Other outdoor spaces include the large park area, the hammock lawn, courtyards, six separate picnic areas with tables and shade structures and, of course, the striking central pool shown here that will create a nice gathering space for all. ACHD has reviewed and approved the traffic analysis and the proposed access points in conjunction with the first development. This project will also be responsible for constructing Wells Avenue at Overland and we will add a signal at that intersection, which will actually happen here in the near future with phase one and that will include pedestrian crosswalks to provide new pedestrian safety in the area as well and connectivity across Overland.

Cinema Drive will be extended as part of this phase two and also I think most importantly to note is that the trips generated by this project are significantly lower than would be associated with the Winco, because that was also studied. Lower at a.m. peak, p.m. peak and Saturdays and a difference of 1,600 trips per day versus 7,700 trips per day for the Winco. So, significantly less. Despite staff's recommendation for the project and a split vote as was noted, the Planning and Zoning did recommend denial on the conditional use permit. However, on the conditional use permit itself, the Commission's comments were all positive. They liked the look of the project. They liked the feel of it. The amenities. The open space. The layout. The design. And they were very favorable to it. Some even commented that they liked the value of the apartments in this location, but the concern that was -- was raised was really more growing out of the lack of the Winco. They were -- they were frustrated over the loss of Winco. I mean Commissioner Seal even noted we recognize this isn't the applicant's responsibility, we just think that, you know, this was a good location for a Winco. The applicant didn't have the opportunity to respond in full, because this happened during the deliberations when the hearing was closed, but, hopefully, we have provided some new information tonight from Winco to help explain that, in fact, rather than just relocating their south Meridian store here, Winco has now decided to remodel and expand their existing store on Progress and find a new location and site -- a new location which requires different spacing, still in south Meridian to benefit south Meridian residents. So, there will be additional resources and groceries in this area, not fewer, and not consolidated onto this site and so it's not viable for Winco, Winco has chosen not to proceed, but it does provide a nice opportunity for in-fill residential along the freeway, behind planned retail where you are along a transit line and can fulfill those goals in the Comprehensive Plan that we outlined. All in all within the zoning that exists and creating lower traffic impacts. So, for all of those reasons we are grateful for your attention and would stand for any questions and ask for your approval.

Hoaglun: Thank you, Deborah. Council, questions?

Strader: Mr. President?

Hoaglun: Yes, Council Woman Strader.

Strader: So, Deborah, for this mixed use regional area you have the square footage of the office and retail. Do you have the square footage of the multi-family?

Nelson: I don't have the square footage of the multi-family, just because they are not tracked that way. They are tracked in unit counts.

Strader: I know.

Nelson: But I do have that and that's -- these are built -- or building permit planned square footages. So, not just zoning.

Strader: Yeah. I understand. I -- I think -- I think what I -- when I -- I probably alluded to this in discussions with Sonya, but the concern I have is that Meridian does not have a

very -- we are starting to finally, but we don't have a very deep job base. Like we are more of a bedroom community that's trying to create stronger employment centers; right? And so this is a key area. It's right along with the interstate. It's in a good location and so part of what I'm struggling with is every time that we take a mixed use area and we flip it into multi-family we are losing precious space for jobs that we will never get back. I agree that multi-family should go along transportation corridors and I'm a big fan of building more housing. In fact, we actually built more multi-family units this year so far than single family residential, but I think what I'm struggling with is I just need a picture of -- for all this space that we have dedicated and what we would expect, you know, how much of this is going to multi-family now, because it looks to me like a much larger percentage than we would have expected is.

Nelson: Council Member Strader, I will -- I will do my best to respond. I guess I'm not -- I don't see a lot of multi-family here, if you look at the -- the blue areas are the multi-family relative to the other locations, but I do think it's important for the city to have a strong employment base and part of what makes that employment base is having the right mix. So, I agree that if this were primarily multi-family throughout the 635 acres you wouldn't have the right mix. Your Comprehensive Plan that the city worked on and carefully thought about what would go into these types of designated areas called for six to 40 units per acre. So, you have thought about how much residential is appropriate to balance that out on the whole and -- and you are short still significantly at less than one and a half. So, there is dense development needed and I think it supports it, you know, in the same ways that you heard Mr. Morgan talk about that when he went and visited with businesses they were readily welcoming having not only consumers next door, but employees next door. They were concerned that they didn't have the workforce they need -- I think -- I think everybody knows that people are having trouble getting workforce and if they could have residents come in right next door and fill in some of their labor needs they felt like that could strengthen their business. So, I guess that's part of why we put this slide together is we felt like it does show you that balance you are -- you are seeking.

Strader: Mr. President?

Hoaglund: Council Woman Strader.

Strader: Yeah. If I could respond a little bit. I think what I'm struggling with is this isn't all filled out; right? So, some of it still has to be designated and part of approving your property to the east -- or the rationale for that was the Winco and so, you know, these decisions in -- in a one-by-one basis -- we make exceptions and, then, what we end up finding -- and we found it in some areas is we end up getting really overweighted into multi-family and I hear you on the housing for workforce. I think what I'm struggling with, though, is we have a huge lack of affordable housing and this is like a Class A plus gorgeous apartment building, but -- and if you want to comment on it -- I know it's very unusual to comment on rents and I wouldn't expect you to, but, you know, if you can kind of comment on the price point, because, you know, someone that's going to be able to afford a luxury apartment -- I'm just not sure that that fits the exact workforce housing that we all are envisioning and we are out here -- we have had a lot of discussions about

affordable housing lately. It's a huge struggle for us. Building housing as a part of a tool to do that overall in the market, but, you know, again, we are -- we have a huge amount of approved Class A plus gorgeous housing coming, but I'm struggling with where are the workers going to live?

Nelson: Council Member Strader, I understand that point and we definitely are not trying to say that this is workforce housing and in the category of affordability rankings. I just meant that it can provide workforce for adjacent people living next door. But -- I mean I think as you know, there has been a lot of studies that discuss that quantity of housing overall does feed down the chain to affordable housing. So, yes, this is intended to be a nice market rate apartment building that caters to young professionals that are looking to live and work and establish, you know, their homes in Meridian and that aren't quite finding exactly this product. So, I do think it's great that you are getting more of that in Meridian, but there is still high demand and so the -- the demand from the consumers would suggest that there is still more -- more demand for that and more room for that. But it -- yes, it won't cater to every need that you have for housing, but it does continue to fill in some variety -- certainly differentiating from the single family residential that is in excess perhaps in this area.

Strader: Thank you.

Cavener: Mr. President?

Hoaglun: Yes, Councilman Cavener.

Cavener: Thanks, Deb. I got to admit I'm kind of tracking a lot with Council Member Strader and perhaps it was Mr. Morgan's comment about the excitement from the movie theater and kind of correlating that to employees living there and a quick calculation on my phone shows that a team member at the movie theater can make at most \$13.69 an hour. Would that employee be able to live in this complex?

Hoaglun: Ms. Nelson.

Nelson: Yeah. Council Member Cavener, fair point. You are right that we aren't going to be able to fill every job with -- with these rents and -- but we also do expect to have dual income folks living here, as many young people start out with that mix and, you know, this area is filled with more than the movie theater jobs. So, I think they are really looking for workforce, but this is also an area that's filled with offices that have employers existing in them as well and that's -- that's part of the -- the benefit of having something that's close by that's walkable, that's serviceable to these homes, as well as being on that transit line. I mean if you are -- if you are a young professional in this day and age, you are accustomed, especially in larger cities, if they have come from different education points, they are accustomed to living in this type of apartment and getting on a transit line and going to their job. That's a desirable mode of transport and lifestyle and we have got other employment bases here that do pay a higher living wage that could support this

opportunity here, that this helps to round out whether it's a walking distance or a transit distance, we think there is some nice compatibility there.

Cavener: And, Deb, you won't find anybody that's more excited about transit lines and being able to move employees from, you know, where they live to where they work, but that is much different than trying to allude that you could work within the complex and live within the complex and to reference an employer. That I even think if two people lived in the same place -- this -- this is a beautiful complex, but let's also be direct about who it is and who it serves and I -- I -- I guess I am failing to see the connection that when I look at the employers that are around there -- and I live in south Meridian -- that the employers around that area will provide a wage that people would be able to live in this beautiful complex. So, I just -- I just would encourage maybe a little bit more directness and authenticity in your testimony that gives Council a better understanding about who this can serve.

Nelson: Council Member Cavener, yes. Noted. I'm sorry if we have overstated that proximity benefit. We are just sharing what the neighbors have shared about the -- their reaction to the proposal. So, certainly not trying to say anything different than those facts.

Hoaglund: Council Woman Perreault.

Perreault: Thank you, Mr. President. My fellow Council Members have stated my thoughts very well, so I won't repeat those. We won't kind of continue along that line of thinking, but -- but I am in agreement with them -- with them on concerns not only of replacing this very needed ground for service type -- service and retail type opportunities for the -- the many residents that do already live in this area, but I have concern about -- about building more multi-family because we have approved a significant amount of multi-family that hasn't been constructed yet. So, although, you know, the -- you were talking about the -- the need for multi-family and -- and that there still is need and there absolutely is. If you go look to rent an apartment in Meridian, unlike what we are seeing happen in Boise and Nampa, it's harder than those two cities to find one in -- in Meridian, but we still have about a year and a half worth of construction that hasn't been built yet and we have an enormous amount of units that have been approved and so we have really accurate data on that, which you can't possibly have yet, of course, and we can't either -- there is -- are constructed, it's -- that's tough for us to say, yeah, this area for sure needs these additional 300 units to make for over 700 units right on this property, including the first phase. So, I just have -- but I have some more specific questions for you, because I don't -- I don't want to end the conversation there and assume that that's what our decision is this evening. So, I'm going to ask some specifics. The first one is did the applicant consider any other designs that would move the -- move the buildings that are farthest to the north towards the interstate a little bit farther south, because from what I understand they are only about 80 feet away from the interstate and I don't know if that 80 feet starts from the building itself and it goes to the centerline of the interstate. I don't -- can you -- can you show me exactly where that 80 -- 80 feet falls? It seems like a very short amount of space. I'm assuming there is going to be balconies on that side, which is not ideal. So, I want to talk about that topic and get some more understanding of that.

Fragoso: Council Woman Perreault, so the 80 feet is from the property line. The property line actually sits back from the off ramp, which is actually still set back another -- I don't know the exact distance and I apologize, but that's also set back from the freeway itself. So, I think when we looked at it it was about 200 feet total from the edge of the freeway.

Perreault: Mr. President?

Hoaglund: Yeah. Let me interrupt one second here, Council. I want to get your input on something. There are two parts to this public hearing and application. Item A is a development agreement modification and if we don't agree to the modification of the development agreement, the conditional use permit is basically not going to pass. So, I don't know how far we want to delve into the CUP before we have some dialogue further on -- on the DA. So, maybe if we --

Cavener: Mr. President?

Hoaglund: Yes, Councilman --

Cavener: Yeah. I agree with you and, I apologize, I meant to ask Bill or Sonya kind of a process question at the outset about how we wanted to handle this. I think it's appropriate for us to discuss the DA, likely make a decision on that, and, then, make a decision on the CUP.

Hoaglund: So, if I might interject and ask a question of Deborah or whoever is appropriate. In the first letter from Winco it talked about they wanted to sell the property to someone who didn't -- wouldn't -- it wouldn't be a commercial or retail interest. So, in my mind that tells me that if this does not get approved that land is probably -- I don't want to know the details, but I'm assuming there is legal mechanisms where it goes back. They would own it, they would keep it and it would sit until they knew they could sell it to somebody where it would be housing, as opposed to retail, if that's their intent that they don't want commercial or retail entities to purchase -- to have that property, then, it's in their interest to hold it. So, I guess my question to you is there is the front portion, which looks like there is an opportunity for some retail. What type of retail is that?

Fragoso: Okay. So, we are currently working through the design of that and, obviously, with retail development it's driven a lot by the users, but we are reaching out to restaurant users. Our main goal is to reach out to large national chains, sit down restaurants. We want to see this anchored by a large sit-down restaurant in the City of Meridian with ancillary uses kind of along with -- for the remaining parcels.

Hoaglund: Okay. Thank you. So, basically, it is an entity that has no competition whatsoever to Winco groceries.

Fragoso: That is correct.

Hoaglund: Any other questions for the applicant? Yes, Council Woman Strader.

Strader: Thank you. Yeah. Just one more -- you know, one of the concerns I have is also -- and if you could -- is there any way you could zoom out to a view that sort of shows all the roads with your property and the adjoining property? One concern I have is we are talking like 700 units, you know, all commuting to work, all leaving at the same time, maybe coming home around the same time and for this area I just want to understand how that's going to work in terms of -- I saw your chart about the comparison, but, yeah, that -- this is helpful. Like something that -- maybe walked me through between both properties together. How is that going to work with that much traffic?

Nelson: So, Council Member Strader -- sorry, this isn't as zoomed out as you might have been looking for, but at least it does show the new signalized intersection here and so as this is improved there will be turn lanes added, which will help the flow of traffic that go in and out to Wells here. Wells is getting extended into the site and, then, that will connect and be extended east-west on Cinema that will connect all the way over to the existing movie complex where Cinema Drive ends and so that will create more connectivity off of Overland, serving this -- at least smaller area. The -- the signal and with it -- with the turn lanes and the signal that did meet ACHD's levels of service for this area and that was actually called for by the Winco development originally, but as they looked at it again with background traffic, they said that the signal could still be warranted there, which is beneficial to the area to be able to put that in.

Strader: Yeah. And just to make sure I understand -- and so -- and I'm trying to remember what Cinema looks like. It's been a while since I have been to this area of Overland.

Nelson: We might have a better map that -- I don't know that we have got --

Strader: Yeah.

Nelson: You can see it here a little bit. You can see Cinema cutting across and -- yeah, you can see that a little bit there. It goes across.

Strader: Yeah. So, I just wanted to understand if there were kind of like multiple ways to get to Overland. It looks like there are. Can you sort of walk me through that? And, then, for your subject property and, then, the adjoining property, are they both going down Wells?

Nelson: Right. Yes. So, both of them are served on Wells and -- and would have the connectivity through to Cinema and so currently that east-west Cinema and north-south stub of Wells don't exist. Those are getting built with these projects and -- but it does exist to the west off of the subject property site and so we will create that new connectivity and, yes, there are additional outlets from that area that go down to Overland and so there is -- this new project before you now in particular will have, you know, both directions of travel traffic that are convenient for those trips to exit either way.

Strader: Right. Mr. President, if I can continue?

Hoaglun: Council Woman Strader, go ahead.

Strader: Thanks a lot. But in fairness like most folks I think are going to be trying to get to Eagle Road probably to access the freeway, to be fair, and so most people are going to be turning left. So, there is the one intersection sort of serves that left turn. Am I understanding that right? Whereas -- are there multiple intersections?

Nelson: That's correct. The -- the new signal will serve those left turning trips.

Strader: Got you. Okay. Okay. Yeah. I don't know -- it's just a concern for me. It just feels like a huge amount of people and human behavior -- like a grocery store -- a grocery store has a lot of traffic, tons of trips, but it's -- it's kind of consistent and we are talking about commuters -- some of them might take, you know, transit. That would be great. But -- but a lot of people are pretty car dependent here. So, you know, it's just a huge concentration of apartments in one area right there side by side.

Nelson: Yeah. Council Member Strader, you know, just a comment. Certainly any -- any development of this property is going to add traffic. No doubt. And so it is -- it is part of just working in -- in-fill development into existing infrastructure and so, yeah, we just have to look to see that based on the traffic impact study and ACHD's analysis, while this will continue to impact area roads undoubtedly, it has -- it does still allow for the -- for Overland Road to operate at a level of service for this signalized intersection and turn lanes to function and just significantly less than what would be from a large retail store, such as Winco that has a regional draw. So, bringing in trips from a much larger area.

Strader: Yeah. But to be fair, ACHD did comment that there are points of failure, right, and so it wasn't -- unfortunately it wasn't just acceptable. It was like there are -- there are real concerns.

Nelson: There VC ratios at the turn signals on Eagle and Overland have delays and those exist now and those will continue and be exacerbated. The levels of service overall are met and will continue to be met with this development.

Strader: Okay. I guess I just had one more, if you guys don't mind. Sorry I'm prattling on here. But has there been any change in your timing? You know, I mean -- I don't know what those -- don't get into the absorption of your other project and all that, but -- right? I mean you are going to very dramatic -- quickly dramatically changing interest rate environment that affects real estate asset prices pretty dramatically. There is a lot of building activity in this area. There is a lot going on. So, what's your timing with this project?

Fragoso: To your question, yes, it's a rapidly changing market. We will acknowledge that and, you know, there is some ambiguity in what asset prices are today based on the volatility and interest rates. That being said, we would want to proceed and move as quickly through this process as we could. The rate limiting step will be the final plat recording. We have run into this. I think realistically we would be -- based on our past

experience we would be between 12 to 18 -- or 12 to 16 months from starting construction from this point forward.

Strader: Thanks. That's really helpful.

Hoaglund: Further questions for the applicant? If not -- thank you. We will now ask is there anybody signed up for the public hearing, Mr. Clerk?

Johnson: Mr. President, nobody in advance.

Hoaglund: Okay. Do we have anybody in the room or online that is wanting to testify on this? If you are online, please, use the raise your hand function and we will bring you in. It doesn't look like we have anybody in that area. All right. Does the applicant want to make any closing comments?

Fragoso: I just want to address one of the points that Council Woman Strader and Cavener have brought up, which was who this property will cater to. When we designed this we set out to cater to the workers at the new BVA Ventures facility over there. I think you have about a quarter of a million square feet of office with all high paying jobs. Powers Engineering takes up a whole building. ESI Construction. St. Luke's to the north. This is really the closest apartment site and I think we are catering to those jobs along Eagle Road and also the work from home population. These people seek out -- if you are working from home you choose quality of life. We believe that they will flock to the amenities that we are offering. It might not be appealing to kind of the blue collar workers. You know, someone working at the Cinemark just from a price point perspective. That being said, one of the things we data from our design we sought out to make our units smaller and more thoughtful. If you are renting less square footage typically the price is less. We are still setting the rent process to kind of what I discussed with Councilman Strader. Council Woman Strader. I apologize. We don't know what that is. Pricing has changed. We are working through that process. But, again, we are kind of designing thoughtful, more -- you know, smaller, more thoughtful spaces with great amenities to cater to the widest mix of people -- of renters that we possibly can.

Hoaglund: Okay.

Perreault: Mr. President?

Hoaglund: Council Woman -- Council Woman Perreault.

Perreault: Don't run away. So, let's just chat about the point that you made about appealing to individuals that might work in some of the properties over by BVA. Would you walk across that intersection to get to work?

Fragoso: No. But I believe -- we believe they would drive.

Perreault: You believe what?

Fragoso: I would agree with you, Council Woman. I believe they would drive.

Perreault: You believe they would --

Fragoso: They would drive.

Perreault: Oh, you -- sorry. I apologize. You believe they would drive?

Fragoso: Yes. Which adds to the traffic concerns.

Perreault: Okay. Thank you.

Hoaglund: All right. Thank you. Council, I think discussion on Item A, development agreement modification, is warranted. I think that's where we need to start and -- and, then, we will see where that goes, because, then, there will be discussion on the CUP if that is amenable to the Council for Item A. Just to kind of kick things off, you know, one of my concerns is -- I did -- did some research and I thought, okay, Winco is no longer at this site. Okay. What does that do for our grocery market? And it was surprising how many grocery stores are in the area. When you take the subject property and you go to the new Albertsons at Eagle and Amity it's 2.5 miles. Well, you could head west you go to -- you end up on Overland. Walmart is two miles. Well, let's go east. Oh, Fred Meyers, 2.5 miles, Overland and Five Mile. Now, if you cross the freeway, if you want to take Eagle, you can be at the Albertson Marketplace, that's 2.5 miles or -- closer to 2.5 to three miles. Take Locust Grove, another Fred Meyer, two and a half miles. Or if you go to Meridian Road and cross over, Winco is 1.5 to two miles. So, I'm thinking, okay, as far as grocery stores are needed in this area -- I mean you have got -- you have got your choice and right now Kroger and Albertsons, Fred Meyer and Albertsons, are competitors. Who knows what's going to happen in the future. But you have Walmart and you do have an Albertsons to choose from. So -- and the fact that they are not selling to anybody for development for commercial or retail property, what does that mean? Then it's going to sit there. They have control of that site. Now, we have our Comprehensive Plan. We know what we want to develop and we were excited about having this there. We saw that as a -- as a good fit. But at the same time if they choose not to go here and want to go further south, which we all know needs another grocery store, that's why we are excited about this. It's on the south side. Albertsons opened on south side. That's a good thing. So, in my mind I'm like, okay, if not this, then, what? And especially if they control it and are not going to go commercial or retail. Now, how long would they hold on to it? I don't know. It could sit there forever. We have seen property in Meridian at times sit for a very very long time because of competition or what have you. People want a certain price point and they are not going to sell until they meet. There is a number of reasons. So, to me we have to kind of face that issue. If not this, then, what? And we have no control over that what. So, that's -- that's one of my arguments to take a -- take a look at modifying the development agreement. The -- the trips per day the facts are there. I mean it definitely -- significantly reduces the trips. There are, of course, peak hours when there will be subject -- I liked having wells where you got right turn lanes, straight lanes and left turn lanes, because that's certainly needed. They can also go down to Millennium I

believe it is and there is a light there and go out. It will add traffic. Anything we asked for will -- will add traffic. And, finally on the subject about, you know, the price point, I know we want more -- what you call workforce housing, but at the same time -- and I think Council Woman Perreault, you have been -- you have been working on this and doing some research. You know, I think if we want to have workforce housing, affordable housing, however you want to classify that, there are probably going to be incentives that the city needs to -- to be prepared to offer. I don't know what that is. We are not there yet. But right now it's the market that's determining what the price point is and I'm fine with that. This is -- when you look across to the east of Eagle and on the south side of Overland, Top Golf location, those apartments are going to be on -- towards the higher end as well. This one is I would classify as higher end. They are looking at the remote worker and just as I'm in the middle of a hiring process with someone at my work, that remote issue is huge. That is a -- the vast majority of applicants want to work remotely and it's one of those things I think in society today we are having to grapple with and I think this is just in response to that, what does that look like, what -- what amenities are on the site? What makes that attractive to someone who is going to move here and work remotely? So, I think it's a serious consideration we have to give to this in modifying this development agreement. I know I might be the only one who thinks that, but that's just how I'm looking at this going, okay, what is realistic with the -- the requirement that they have as the current owners of this property and, again, there might be legal things in that contract that reverts back. I don't know. I don't want to know. But we have to kind of deal with that -- that issue as -- as that's a possibility and -- and, then, maybe it becomes a car dealership. I don't know. But I think those are an I-L, though. So, some -- something to consider. Other comments? Certainly welcome.

Cavener: Mr. President?

Hoaglun: Yes, Councilman Cavener.

Cavener: I will be -- I will be brief. I appreciate your very diplomatic approach to this whole thing and I think the applicant started this -- their comments were really correct. This was not their choosing. Winco has said, hey, this is not what we want to do. This is not where we want to put a facility and certainly Winco's decision -- business decisions shouldn't be passed on to this applicant or any applicant whoever follows a land use project. The piece that I'm -- I'm wrestling with is -- I believe I was on the Council when this annexation came through and -- and the Council was wise to put the development agreement, because what the Council said when we heard from our community at the time is that we needed more retail and while, yes, we do need grocery and, again, as one who lives in this area we are excited about the Albertsons, but I think our citizens still desire more grocery, more retail. I think that is part of the reason as to why the Council crafted this development agreement and so I was -- I was reluctant when this change came before us a year ago for some multi-family. I think some council touched on this, that we were supportive, because it really supported the mixed use. I'm just struggling to see how more apartments support our mixed use desire and, certainly, I'm a huge proponent of -- of housing and I liked it, but when it was presented to us it was presented with as Seasons. Now we have learned it's Seasons phase one. I think they are great

projects, but I just don't think that it is the right type of project that warrants making a change to our development agreement based on what we heard from our citizens at the time of the annexation.

Hoaglun: Thank you for that input, Councilman Cavener. Council Woman Strader.

Strader: Sure. Yeah. I -- I agree with Councilman Cavener and I think part of what I'm having a hard time with -- and we have heard feedback, too. We had like an intern that talked to us a lot about mixed use development. One of the things I really struggle with is that integration of uses and even if I look at the mixed use region overall, you know, I want to see things spread out a bit more. I think it makes sense to have high density housing, but I -- I don't want it all crammed in right together. Seven hundred units just feels like a huge amount of housing to have in such a concentrated area. I have concerns about traffic and I do agree that we have to think about -- you know, we might have to wait. That could be hard. I mean it's hard to see an in-fill piece of property that doesn't develop yet. But, you know, that's -- that's the property owner's decision. I can't control that. You know, as a Council Member we try to set aside land for different uses and one of my biggest concerns is that we are not getting enough of the job creating uses, of the retail, you know, supporting uses of -- especially the commercial uses and so every time that we make this decision to make a trade off it's really hard and I think particularly where with the same developer we -- we have already approved a big multi-family development with the rationale being having this different use right next door and I'm struggling with it, you know, so I'm going to be in favor of denial tonight. That doesn't mean I wouldn't be open minded down the road, you know, in a couple of years if things change and the traffic situation improves and we don't have these failure points that we have heard about from ACHD, you know, maybe then we will look at that. But I just -- I can't in good conscience put this much multi-family together in one spot with those issues and we are losing that trade off forever, so -- my opinion.

Hoaglun: Any other comments? And, Mr. Nary, let me ask -- I think item A -- 1-A would be a motion for that instrument number, the 2016, if there is approval or denial motion do that -- change the development agreement?

Nary: Yes. That's all you do.

Hoaglun: Okay. So, Council, we can close the public hearing. Are there any other questions you want to ask of the applicant?

Perreault: Mr. President?

Hoaglun: Council Woman Perreault.

Perreault: I move that we close the public hearing for application H-2022-0030.

Strader: Second.

Hoaglund: I have a motion and a second to close the public -- public hearing. All those in favor of closing the public hearing, please, say aye. All right. Any nays? The ayes have it. The public hearing is closed.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Hoaglund: Council Woman Strader?

Strader: Mr. President. Sure. I'm -- I will try to make a motion here. I would move on Item 1-A that we deny the request 2016-060157 for the development agreement modification and the reasoning for the denial is similar to the Planning and Zoning Commission, for the reasons of wanting the current approved development plan for this site, the desire not to change the land use to multi-family residential and because of traffic concerns.

Perreault: Mr. President, I second that motion.

Hoaglund: All right. We have a motion and a second on that. Mr. Clerk, would you, please, call the roll.

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

Hoaglund: Four ayes. One no. The development agreement modification is not agreed to.

MOTION CARRIED: FOUR AYES. ONE NAY. ONE ABSENT.

Hoaglund: So, Mr. Nary, conditional use permit, do we need to take a vote on that or --

Nary: You still need to take a vote on that. Yes.

Hoaglund: Okay.

Strader: Mr. President?

Simison: Council Woman Strader.

Strader: Just to check with Mr. Nary, I think it would follow, then, that we would deny the conditional use permit. Do I need to give an additional rationale?

Nary: Yes. Since the record would be separate, so yeah. I mean the basis can be simply that because there was no amendment to the development agreement, therefore, there is no ability to approve that CUP, since that's not an allowed use.

Strader: Thank you. Mr. President?

Hoaglund: Council Woman Strader.

Strader: I moved to deny Item 1-B, the request for the conditional use permit, because there was no amendment to the DA agreement and so it does not make sense to approve the conditional use permit at this time.

Perreault: Mr. President, I second that motion.

Hoaglund: We have a motion and a second to deny the conditional use permit on Item 2022-0030. Mr. Clerk, would you, please, call the roll.

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

Hoaglund: All ayes. Motion carries.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

2. Public Hearing for Matador Estates Subdivision (H-2022-0043) by Quantum LTD, Inc., located at 1235 E. McMillan Rd.

- A. Request: Annexation of 5.09 acres of land with an R-4 zoning district.
- B. Request: Preliminary Plat consisting of 14 building lots and 2 common lots on 4.84 acres of land in the R-4 zoning district.

Hoaglund: The next item on the agenda is a public hearing for Matador Estates Subdivision, H-2022-0043, and the staff report will also be given by Sonya Allen.

Allen: Thank you, Mr. Chair. The next application before you is a request for annexation and zoning and a preliminary plat. This site consists of 4.84 acres of land. It's zoned RUT in Ada county and is located at 1235 East McMillan Road. This property was previously platted as Lot 5, Crestwood Subdivision No. 1 and a property boundary adjustment was approved in the county to shift the eastern property line to the east an additional five feet. The Comprehensive Plan future land use map designation is low density residential. The applicant is requesting annexation of 5.09 acres of land with an R-4 medium low density residential zoning district and a preliminary plat consisting of 14 building lots for one existing home that is proposed to remain and 13 new single family residential detached homes and two common lots on 4.84 acres of land. The proposed gross density of the subdivision is 2.89 units per acre, which is consistent with the desired density in the low density residential future land use map designation. This property, along with the property to the east, is an enclave surrounded by existing and future single family residential detached homes to the north, south, and west. Development of in-fill properties is supported by the Comprehensive Plan provided it doesn't negatively impact the abutting existing development. Because like uses, single family residential detached residential, are proposed on similar size lots, the proposed development should be

compatible with adjacent uses and shouldn't have a negative impact. Access for the subdivision is proposed from the extension of a stub street at the west property boundary. The existing access via McMillan is required to be removed and the existing home is required to take access internally from within the subdivision and be readdressed. A stub street is proposed to the east for future extension and interconnectivity. A 25 foot wide landscape street buffer is required along McMillan Road. A two and a half foot tall rock wall is proposed at the back edge of the street buffer along McMillan Road and a berm is proposed within the buffer. Fencing is not proposed. A micro path connection is proposed to the sidewalk along McMillan Road for pedestrian access from within the subdivision. Typically developments of less than five acres in size are not required to comply with UDC standards for common open space and site amenities. However, because this is an annexation request and the site is just under five acres at 4.84 acres, staff is recommending the applicant provide a minimum of 12 percent or .58 of an acre of qualified open space and -- and a site amenity consisting of a minimum of one point. The reason for staff's recommendation is because when a county subdivision such as this redevelops and the lots are just under five acres in size, a series of new subdivisions could develop without adequate open space overall. The plans currently depict .49 acre of qualified common open space consisting of a 7,080 square foot common -- common area lot, linear open space with a pathway, and half of the street buffer along McMillan Road. A sitting area with a concrete or a paver surface and two benches is proposed as an amenity. Staff is recommending an additional .09 acre of common open space is provided. The applicant has confirmed the proposed parkways comply with UDC standards and provide an additional .19 acre of common open space, which exceeds the requirement. Trees and vegetative ground cover should be provided within the parkways in accord with UDC standards. Staff recommends that shade structure and picnic tables are added to the common area to qualify as a picnic area amenity or the applicant may choose another qualified amenity. Six conceptual building elevation photos were submitted as shown that demonstrate what future homes in this development will look like. A mix of single story with and without bonus rooms and two story homes are proposed with a mix of building materials, including stone veneer accents and architectural elements. The Commission did recommend approval of these applications. Marty Camberlango, the applicant, testified in favor. No one testified in opposition. Randy Spiewak, Parkins North No. 14 Laterals Association, commented on the application and written testimony was received from Neil Wilson. He just stated that he recently put solar panels on the east side of his house facing the subject property and requests the proposed homes are no higher than two stories, which they aren't. So doesn't appear to be any issue there. Key issues of discussion was the surface water delivery, design of the pressurized irrigation system, and plan approval from the lateral association. Key issues of discussion by the Commission was the city's requirements to provide a pressure irrigation system for the proposed subdivision. The Commission did not make any changes to the staff recommendation and there are no outstanding issues for Council tonight. No written testimony has been received since the Commission hearing. Staff will stand for any questions.

Hoaglund: Thank you, Sonya. Any questions for staff? Hearing none, is -- is the applicant here to testify? Come on up. State your name and address for the record and you have 15 minutes for your presentation.

Camberlango: Marty Camberlango. 1110 North Five Mile Road, Boise. 83713. Sonya did a really good job of explaining the project. I think anything that I would actually add would be already what she's talked about. I might just add that we had a neighborhood meeting and we had one person come and his concern was just that if the developer -- development happens that what that -- that it would -- would be a lot of dust in the area and we told him that we would be sensitive to that. Apparently when they did Silver Spring Subdivision when they excavated the roads they had a system over there where they refined their soil and made it into topsoil and apparently it created a lot of dust. So, we don't plan on doing that. And, then, also in the Planning and Zoning Commission meeting we didn't have anybody that was against the project and so we don't have, as far as I know, anyone that has any problems with it. The only thing I might add is the staff recommended that we have various lot sizes, so that it would lend to a little bit -- a little bit of variety. The smallest lot is 8,132 square feet. The largest lot is 11,219 square feet and the home that will be left there is 32,231 square feet. So, we will have a variety of product in there. And I would like to just add, like Sonya already said, was what we will be doing in there is compatible with the surrounding area and when it's all finished it will look just like the Silver Spring Subdivision, just like it was a phase of that subdivision and so, really, I don't have a lot to add to that and would you stand for any questions that the Council might have.

Hoaglund: Thank you, sir. Council, questions? Council Woman Strader.

Perreault: Mr. President?

Hoaglund: Oh, I'm sorry. Council Woman Perreault, we will go your direction first.

Perreault: No worries. Thank you. I -- I just wanted to confirm that -- that you are willing to do the additional small amount of open space that -- from the open space calculation.

Camberlango: Well, we don't want to have to do it, but we will.

Perreault: Okay. I understand that.

Camberlango: What we found out that -- in our research that we are required to have a parkway and they are allowing that to be part of the open space. So, when we calculate that in, we are -- like Sonya said, I think we are over that. So, I think we are okay with it. I think it will work.

Perreault: Okay. Thank you. I wanted to get clarification on that, just the way that it was presented this evening I -- I wasn't a hundred percent sure. And, Mr. President, one more question if I may.

Hoaglund: Council Woman Perreault, go ahead.

Perreault: Thank you. So, to that end have you happened to decide on an amenity?

Camberlango: No, we haven't decided on the amenities yet. They have made suggestions in here that you have park benches and -- and even suggested we might do a little pergola type of a cover over the top. We just did a project in Eagle where we have park benches, we have picnic tables, we have some grills that you can use and we will probably follow along those lines. But we will -- it will be nice and it will be something that the people will want to use. I think staff will make sure we don't -- we do something that's workable there.

Hoaglund: Yes, sir, they will. Council Woman Strader.

Perreault: Uh --

Hoaglund: I'm sorry. Council Woman Perreault. And, then, I will go to Council Woman Strader.

Perreault: Can I make just one more comment?

Hoaglund: Go ahead.

Perreault: I just want to say thank you very much for -- these in-fill projects are tough and they often come before us with challenges and I just really appreciate that you are doing all you can to make it as close to the area around you as possible. Really appreciate that you are trying to stay with the similarity to -- to that neighborhood and that, you know, a lot of times folks come in and it's -- it's hard to do something with five acres. There is really not a lot of options, especially if there is geographic issues that cause the property to be developed in a unique way. So, thank you for keeping it in similar field to what's already there.

Camberlango: You are welcome.

Hoaglund: Council Woman Strader.

Strader: Oh, great minds think alike. So, Council Woman Perreault covered all my questions.

Perreault: Mr. President, that's why I didn't say much on the last application, because she just basically read my mind.

Hoaglund: Oh, good. And we have a couple Councilmen online. Any -- any questions for the applicant? Heads shaking.

Cavener: I have none. Thanks, Mr. President.

Hoaglund: Thank you. We will see if there is any public comment. Public testimony. Mr. Clerk.

Johnson: Mr. President, nobody was signed in online or in person.

Hoaglund: Okay. We don't have anybody signed in. So, do you have any wrap-up comments on this?

Camberlango: Not really. I just appreciate the opportunity to come before you and anxious to get this project underway if we can get your approval.

Hoaglund: I did have one question and it's really not -- to the property to the west, is that the -- is that Boyd Hill's old place?

Camberlango: Uh-huh.

Hoaglund: Okay. When I saw the map and looked at the location I thought I know where --

Camberlango: It's kind of interesting all these remaining properties are all landscape companies and I feel -- I think they feel like they are being squeezed out a little bit. Of course one of them that owns this property is already relocated in Meridian out south, so he can continue his business and not be so crowded out with what's going on over there.

Hoaglund: Sure. Yeah. Yeah. Great. Well, thank you, sir. Appreciate it. Council, Item 2 is before you for discussion.

Perreault: Mr. President, I don't have anything additional to add. My --

Hoaglund: Council Woman Perreault.

Perreault: I think you have done a really great job with this and -- and I'm in favor, so I would be happy to make a motion, unless there are other concerns. I move that we approve the Matador Estates Subdivision, H -- oh. We do need to close the public hearing. Thank you. Mr. President, I move that we close the public hearing for H-2022-0043.

Strader: Second.

Hoaglund: I have a motion and a second to close the public hearing. All those in favor signify by saying aye. Any opposed? The ayes have it. The public hearing is closed.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Hoaglund: Council Woman Strader -- Council Woman Perreault.

Perreault: I'm honored to be confused with her, because she's amazing. You just keep doing that. I'm -- that's my honor.

Hoaglund: I do the same with my daughter and my sister. So, it's the same --

Perreault: I haven't heard you do this with Councilman Bernt and Borton yet, so waiting for that one. Okay.

Hoaglund: Okay. So, one of you is going to have to grow beard I guess. I don't know.

Perreault: Mr. President?

Simison: Council Woman Perreault.

Perreault: Thank you. I move that we approved the application for Matador Estates Subdivision, H-2022-0043, for the -- oh, I better get my little cheat sheet here. Let me restate that motion if I may. After considering all staff, applicant, and public testimony, I move to approve File No. H-2022-0043 as presented in the staff report for the hearing date of October 25th, 2022.

Strader: Second.

Hoaglund: I have a motion and a second to approve this item. Any discussion? Hearing none, Mr. Clerk please call the roll.

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

Hoaglund: All ayes. Motion carries. The item is approved.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

EXECUTIVE SESSION

3. Per Idaho Code 74-206(1)(d): To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code

Hoaglund: Our next item is -- we show Executive Session. However, in the work session we were able to accomplish all that we could for tonight, so we don't need to have this Executive Session. I'm sure staff is very excited about that. So, we will vacate that item.

FUTURE MEETING TOPICS

Hoaglund: And go on to future meeting topics. So, Council, any -- any comments on future meeting topics? Nothing there? Next item adjournment.

Strader: Mr. President?

Simison: Council Woman Strader.

Strader: I move that we adjourn the meeting.

Hoaglund: Motion to adjourn. All those in favor signify by saying aye. All ayes. Motion carries. We are adjourned.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 7:24 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

PRESIDENT BRAD HOAGLUN

_____/_____/_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK