

A Meeting of the Meridian City Council was called to order at 6:02 p.m., Tuesday, June 22, 2021, by Mayor Robert Simison.

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

Members Absent: Joe Borton.

Also present: Adrienne Weatherly, Bill Nary, Sonya Allen, Joe Dodson, Warren Stewart, Jamie Leslie, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Liz Strader	<input type="checkbox"/> Joe Borton
<input checked="" type="checkbox"/> Brad Hoaglund	<input checked="" type="checkbox"/> Treg Bernt
<input checked="" type="checkbox"/> Jessica Perreault	<input checked="" type="checkbox"/> Luke Cavener
<input checked="" type="checkbox"/> Mayor Robert E. Simison	

Simison: Council, we will call this meeting to order. For the record it is June 22nd, 2021. It's 6:02 p.m. We will begin this 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: There will be no community invocation this evening. As I understand it our individual was unable to make it.

ADOPTION OF AGENDA

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

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: There is one change to the agenda. Due to the accelerated nature by the federal government to declare Juneteenth a national holiday on Thursday, January -- or, excuse me, Thursday, June 17th, to take an effect on June 19th. We were unable to add this

proclamation to the agenda prior to publishing. Additionally, it was not known if our friends with the NAACP would join us this evening until yesterday. So, we would like to amend our agenda to add this proclamation by the City of Meridian to honor the Juneteenth holiday. We will make that item one right before two, the Pickleball Proclamation. So, with that I would like to make a motion to adopt the agenda as amended.

Hoaglund: Mr. Mayor, I will second the motion.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

PUBLIC FORUM – Future Meeting Topics

Simison: With that we will move on to Item 1, which is Juneteenth Day and Council President Bernt will lead us in this proclamation.

Weatherly: Mr. Mayor, point of order. Pardon me. We do have people signed up for the public forum.

Simison: Okay. Then I apologize for skipping over that item. We will need to go to the public forum first. So, Madam Clerk, I will turn this over to you. Who signed up?

Weatherly: Thank you, Mr. Mayor. We have three people signed in for the public forum tonight. The first of which is -- excuse me -- Sally Reynolds.

Simison: And I apologize for skipping over that portion. If you can state your name and address and you will be recognized for three minutes.

Reynolds: Certainly. So, I have some slides. I believe Sonya is bringing those up. Okay. My name is Sally Reynolds. I reside at 1166 West Bacall Street in Meridian. So, I'm here to talk about Meridian city transparency and accountability. Yesterday morning the City Planning Department issued a TCO that allows a 24 hour grocery store to open on a major highway despite surrounding road improvements that are not completed, which was a requirement of the corresponding DA. The DA language is up there for you to read. Said condition was predicated on Council's concern for public safety and flow of traffic in response to one of the largest public outcries during a public hearing this city has ever witnessed. This is what the reality was. What has happened has happened and nothing will change that. I'm here to speak to the bigger issue this brought to light, the transparency and accountability of City Hall departments. How can we learn from the situation, improve protocols and demand better. Development agreements are not just a casual footnote to an improved application. They are the result of thousands of hours of hard work and a multi-pronged process that includes the developer, city staff, P&Z and public comments. Ultimately Council approves a carefully crafted and legally binding

agreement that is in Meridian city's best interest. In this case the application took three years to go through the approval process, had thousands of public comments and went all the way to the city courts for review. So, how did a requirement of such a high profile development agreement completely lose its teeth? Who approved the substantive deviation from the DA's original intent? The optics on this are troubling. Essentially the message to the Meridian residents is this: The actions taken by City Council during a public hearing in the ensuing days are inconsequential. At any point thereafter the city may change its mind by ignoring or contorting the intent of the Council's official action. Those troubling aspects are why I propose a future meeting topic, if not a special investigation, into how can the intent of Council and the language in the DA be so flagrantly disregarded and how was the language in the DA circumvented. Also how can we ensure the integrity of our City Council's actions in the DA -- and the DA terms. I tried to be a watchdog the last several weeks and called the city planning department for progress updates. The people I spoke with led me to believe that the business could not operate on a TCO and that no C of O would be issued until the road improvements were complete. I believe that many of you on this Council felt the same way, which is why weeks ago you asked for road updates from the developer, but he did not provide answers. Why not? In closing, I hope you will agree that the optics on this are puzzling, if not deeply disturbing. It baffles me how on an application as important as this one, at the gateway to our city, there wasn't more stringent oversight, even routine checks and balances that should have ensured City Council's intended motion is properly executed. Thank you.

Simison: Thank you.

Weatherly: Mr. Mayor, next is Denise LaFever.

LaFever: Hello. My name is Denise Hanson-LaFever and I'm at 6706 North Salvia Way. I would like to continue on with -- and expand upon Sally's comments. A few weeks before the TCO in question was issued north Meridian residents received a grand opening announcement from Winco. How did Winco officially know there would be a grand opening granted a TCO with the parameters to fully operate before -- before one was officially issued? What do you say to residents suffering to unsafe traffic conditions and commuter sitting in gridlock who now know Meridian city amplified those issues by allowing a 24 hour facility on a major highway to open prior to completed road construction? Road safety is not just a concern of ACHD and ITD, it is a quality of life indicator. Meridian city has the final say on a CO -- CO's issuance. Common sense dictates that issuing a TCO to a store that by ACHD and ITD traffic counts would bring between 20 and 30 thousand cars per day to this corner is highly irresponsible. I would like to also underscore Sally's concern about transparency. From a resident's point of view what has transpired raises questions like is this -- are -- is there a city employee whose authority supersedes the City Council? Does City Council have procedures for issuing certifications of occupancy and to specifically scrutinize DA terms? What are the procedures for City Council concerning compliance, implementation of DAs? Who is responsible to see they are implemented correctly? Council has the right and the responsibility to ask city staff what happened. This is an election year and the residents

are sure to hear about government transparency and accountability. I respectfully ask you take this opportunity stand up for the people who elected you, who asked you to represent them. As residents we have no legal recourse or avenue for redress in this situation. The state's Attorneys General does not have jurisdiction over cities and the county prosecutor's office only handles criminal police reports filed against the city. If the city planning department decides to go rogue and the Mayor condones or encourages the behavior, there is zero government oversight, zero accountability and absolutely no consequences for its actions. Quite literally City Hall answers to no one. Bottom line, any and all accountability is the City Council's responsibility. Please ask for future meeting topics regarding deviations from C-C actions and DA actions and I respectfully ask that you do an investigation to find out and get to the bottom line of what happened here.

Simison: Thank you.

Weatherly: Mr. Mayor, lastly on the list we have Dave Eastman.

Simison: If you would just like to submit them for the record.

Weatherly: Mr. Mayor, that's all we had signed up.

PROCLAMATIONS [Action Item]

1. Juneteenth Day

Simison: All right. Thank you. So, with that we will move back to Item 1, which is the Juneteenth Day Proclamation. President Taylor, if you would like to join Council President Bernt at the podium.

Bernt: Want to welcome President Taylor and Mr. Baber and Victor for being here this evening representing the NAACP. I will start off by reading the proclamation. Whereas on June 19th, 1865, Major General Gordon Granger of the Union Army landed in Galveston, Texas, bringing news that the Civil War had ended and all the slaves were free and whereas one year after freedom was granted to black men, women, and children the first celebration of Juneteenth also known as Emancipation Day, Liberation Day, and Jubilee Day in its early years was held and whereas since then Juneteenth has -- has long been celebrated among the African American community for its historical significance and whereas Juneteenth National Independence Day became a federal holiday in 2021 raising the public awareness of this date to all the people of the United States and whereas it is important to recognize how Juneteenth has impacted the lives of all Americans, especially those in the African American community. Therefore, I, Council -- Council President Treg A. Bernt, representing -- on behalf of Robert E. -- Robert E. Simison, our Mayor, hereby proclaim June 19th, 2021, Juneteenth Day in the City of Meridian and encourage all citizens to recognize and observe the historical significance of this day, dated the 19th day of June 2021.

Taylor: Thank you, Mayor Simison, City Council President Treg Bernt, and the entire

membership of the City Council. It was just a little over four months ago when I stood in the Council Chambers to receive another proclamation on behalf of the Treasure Valley Branch NAACP. A proclamation proclaiming Black History Month in the City of Meridian, Idaho. While Idaho as a state recognized Black History Month, Meridian is the first city, to my knowledge, in the state to proclaim Black History in the city and, again, I stand here in these halls to receive yet another proclamation. This one in recognition and celebration of Juneteenth Day in the City of Meridian, Idaho. Following the passage of the Juneteenth National Independence Day Act, which President Biden signed into law Thursday, June the 17th, 2021, the Juneteenth Day, being the 11th federal holidays to be recognized in this nation. The governor of the state of Idaho signed a proclamation that recognized the 19th of June a state holiday to be celebrated on Friday, 18th of June. Meridian, to my knowledge, has become the first Idaho city to proclaim the 19th of June or Juneteenth as the day to celebrate the day in which African American slaves in the state of Texas was told that they was free nearly two and a half years after the signing of the Emancipation Proclamation in 1863 by President Lincoln. So, today I am heartened to witness yet another first by the leadership of the City of Meridian, Idaho, and their determination of being the example of that shining city on a hill and I thank you, President Bernt, Mayor Simison, and the entire City Council membership, thank you again.

Bernt: Before we take a picture I just want to say how grateful I am for the opportunity to extend this proclamation to our good friends at the NAACP. Thank you folks for coming this evening and thank you, the City of Meridian, for the support. Today's a great day. Thank you for coming, president. Let's take a picture.

Hoaglund: Well, Mr. Mayor, as our Council President makes his way back up, I'm just glad to see that we are doing this. It's a great proclamation and I think it's one all the city -- residents of the City of Meridian can get behind, because this is a proclamation about freedom. I mean we know the principles our country was founded on. We celebrated Fourth of July and this is a freedom for -- for people who now have that full opportunity of life, liberty, and pursuit of happiness. So, you can always get behind proclamations for freedom and recognition of freedom and -- and we have got a long ways to go in this country for that full opportunity, but I think it's great when we recognize that -- that opportunity that was now given to everybody. So, it's exciting. Thank you, Mayor, for making this happen and also Council President Bernt for -- for doing that and just a great great great great day.

2. USA Pickleball Championship Month

Simison: Agreed. Awesome, guys. Thank you, President Taylor. With that we will move on to another proclamation for this evening. If I could invite Bill Rapp with the SportsRapp Marketing and whoever else you would like to join me at the podium. We will do another -- another proclamation.

Simison: There is a little tournament going on right here?

Rapp: Yes. I got about a thousand players from 32 states that --

Simison: Yeah. Well, I think we are all familiar with how crazed there is in the community for pickleball from that standpoint. I would like to say that I was an early adapter -- meaning I spent one year up in Seattle in high school. So, 33 years ago we played pickleball indoors. That was my first time I got to experience it. I actually haven't played it since. So, I got to get back -- I got to get out on the court and try -- and try -- yeah. Exactly. So, we have got our pickleball aficionado, who is maybe a little too aggressive for some of our City Council members. We will have to see. So, we are going to do a proclamation in honor of the tournament that's occurring.

Rapp: So, we can say, Mayor, so you are a pickleball stud.

Bernt: That's what I'm talking about.

Simison: Well, maybe. We will see. We will see. So, proclamation. Whereas 2021 marks the 56th anniversary of pickleball and in their 2020 pickleball participant report the Sports and Fitness Industry Association report pickleball currently had 3.46 million players in the U.S. and whereas the City of Meridian has 26 pickleball courts in our community with future plans have another 12 in the next few years and it is estimated that every U.S. state and all Canadian provinces now have pickleball venues, including senior resident communities, YMCAs, local community recreation centers, schools and parks. And whereas the U.S. Pickleball Association was formed in 2005 to promote the sport and maintains the official rules, sanctions tournaments, provides player rankings and produces the annual USA Pickleball National Championships Tournament and whereas the 2021 Pacific Northwest Regional Championship will be held at Settlers Park in the City of Meridian as the main event site hosting nearly one thousand players and over one thousand guests traveling from more than 30 U.S. states and whereas this event will have significant economic impact in Meridian and throughout the Treasure Valley through partnerships with Meridian Chamber of Commerce and local Idaho businesses. Therefore, I, Mayor Robert E. Simison, hereby proclaim June 2021 to be USA Pickleball Championship Month in the City of Meridian and encourage all citizens to learn more about this fast growing sport, come out to watch this historic event and to seriously consider becoming a pickleball player and be -- and begin taking advantage of health, exercise, and social benefits of this sport, dated this 22nd day of June, 2021. So, with that I will say congratulations and welcome you to make some comments about pickleball as it has been occurring in our community.

Rapp: Thank you, Mayor. Well, I am the co-tournament director with the gentleman right here. Mike, put your hand up. Mike Hoxie. Mike Hoxie is the executive director for Pacific Northwest USA Pickleball and so I was privileged to be hired by Mike, who has run tournaments probably for longer than anyone in the United States and has incredible experience. I actually come from the world of professional tennis down in California, that crazy state. I'm glad to be out of there, by the way. Did that for about 30 years and now I'm moving into the pickleball world and it's incredible and I'm pleased to also have worked with numerous folks within the City of Meridian and also with a neighboring city and I just want to share that this city -- and there is a gentleman right over here -- I believe, Joe, are you the one I talked to? You look like a pickleball stud, too. Just want to say is every

department that I have worked closely with, which usually I try to avoid working with any cities on any projects, this -- this city runs like a profitable business, with classy people, like Garrett and Skylar and like Joe over here and Shawn in your police department and so I just want to compliment the City of Meridian for being a city of firsts in my book. I have never worked with a city quite like this. The other person I would like to call out tonight is Sean Evans, who I believe is here. I had one meeting with him and I did order a beer that had pickle juice in it and before we started our lunch I didn't know Sean, but I found out he was a wild man, because he drank my beer before I drank it. So, yeah, almost moved to the other city, but we worked that out. So, I also want to say -- is there is only one reason, besides a great city to be in, that makes for a great event and that's the people. So, I have people here from multiple states around the country that joined our team and this is a ten month event -- it takes ten months to put an event like this together. We had just over three months. So, based on the people that you see over to my right, who are unbelievable people, I just want to say this is where the -- the thanks and the glory and heroes, as, Jen, you like to call it, from zero to hero and so this is a big deal for us. I will say it's nothing compared to the Juneteenth thing that just happened here with you gentlemen and, by the way, we are patriots and we love what just happened tonight. Yeah. So, that's it, Mayor, and thank you for the proclamation and Meridian is an unbelievable city.

Simison: So, Councilman Bernt, I know we are talking about getting the Council together for an event. Maybe it's a pickleball tournament in the park once they clear out.

Bernt: I'm down and clown anytime for pickleball.

ACTION ITEMS

3. Public Hearing for Speedy Quick (CR-2021-0003) by Clark Wardle, Located at 2560 S. Meridian Rd.

- A. Request: Council Review of the Planning Director's determination of denial for a reduced rear setback for a new accessory structure.

Simison: All right. With that we will move on to Item No. 3, a public hearing for Speedy Quick, CR-2021-0003. Mr. Nary, shall I open this public hearing or do we just have to move for continuance?

Nary: We need to open the hearing.

Simison: Okay. Then I will open this public hearing. Is there any staff comments at this time? Nope. Okay. Then do I have a motion?

Bernt: Mr. Mayor, does -- I think that the applicant is here. Do they wish to say something before we continue this or do we just want to continue it? Okay.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we continue the public hearing for Speedy Quick, CR-2021-0003 to the meeting on July 6th, 2021.

Bernt: Second.

Simison: I have a motion and a second to continue this public hearing to July 6th. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it and the item is continued.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

4. Public Hearing for Roberts Annexation Easement Vacation (H-2021-0038) by Benjamin Semple of Rodney Evans and Partners, Located at 1630 E. Paradise Ln.

- A. Request: Vacation of a 5-foot drainage, utility construction and maintenance easement platted between two lots (Lots 2 & 3, Block 1 of Heritage Subdivision No. 2).

Simison: Our next item up is the public hearing for Roberts Annexation, easement vacation, H-2020-0038. I will open this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. The first application before you tonight is a request for a vacation of an easement. This site consists of 1.77 acres of land. It's zoned R-2 and is located at 1630 East Paradise Lane, which is south of East McMillan Road, on the east side of North Locust Grove Road. The Comprehensive Plan future land use map designation is low density residential. This property, Lots 2 and 3, Block 2, Heritage Subdivision No. 2, was annexed into the city last month with an R-2 zoning district in order for the applicant to construct a new home on the property and hook up to city water and sewer service. A provision of annexation requires the existing public utility easements on the two lots to be vacated and a property boundary adjustment application submitted to combine the two lots into one property prior to issuance of a building permit. The applicant proposes to vacate the existing public utility easements that lie along the south side of Lot 2 and the north side of Lot 3, Block 1, and has submitted a property boundary adjustment application to the city to consolidate the two lots as required. Relinquishment letters for the easements have been submitted for all potential easement holders, including CenturyLink, Idaho Power, Intermountain Gas, Sparklight and Syringa Networks. They are all consenting to the proposed vacation of the easements. There has been no written testimony submitted on this application and staff is recommending approval.

Simison: Thank you. Council, any questions for staff? Okay. Is the applicant here? Would they like to provide testimony?

Weatherly: Mr. Mayor, the applicant is online.

Simison: Okay.

Semple: Mr. Mayor, Members of City Council, Ben Semple with Rodney Evans & Partners. 1450 West Bannock Street, Boise, Idaho. 83702. We don't have anything to add. It's just a simple vacation. We did get all of the relinquish -- relinquishment letters from the easement holders and so we feel like it's already done. I will stand for questions.

Simison: Thank you. Council, any questions for the applicant? Madam Clerk, do we have anybody signed up to provide testimony on this item?

Weatherly: Mr. Mayor, we do not.

Simison: Okay. Is there anybody in the audience who would like to come forward and provide testimony on this item or anybody online wanting to provide testimony? If you are online you can use the raise your hand feature. Seeing no one wishing to provide testimony, Council, do I have a motion?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: After considering all staff, applicant testimony, I move to approve File No. H-2021-0038 as presented in the staff report for the hearing date of June 22nd, 2021.

Simison: Need to move to close the public hearing first.

Hoaglun: Oh, I'm sorry. Mr. Mayor, how about if I move to close the public hearing on H-2021-0038.

Cavener: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Hoaglun: Now I'm ready to roll, Mr. Mayor.

Simison: Mr. Hoaglun.

Hoaglun: After considering all staff and applicant testimony, I move to approve file number H-2021-0038 as presented in the staff report for the hearing date of June 22nd, 2021.

Cavener: Second.

Simison: I have a motion and a second to approve Item H-2021-0003. Is there any discussion on the motion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

5. Public Hearing for Prevail North Subdivision (H-2021-0021) by Schultz Development, LLC, Located at 5150 S. Meridian Rd.

- A. Request: Annexation and Zoning of 5.63 acres of land with an R-8 zoning district.
- B. Request: A Preliminary Plat consisting of 19 single-family residential lots and 4 common lots on 5.25 acres of land.

Simison: Next item up is a public hearing for Prevail North Subdivision, H-2021-0021. We will open this public hearing with staff comments, turn this over to Joe.

Dodson: Thank you, Mr. Mayor, Members of Council, and good evening. Thank you for your proclamations today. Very much appreciate them. As noted the next item is Prevail North Subdivision. The subject property consists of 5.63 acres of land, currently zoned C-2 in the county, specifically located at 5150 South Meridian Road, which is approximately a quarter mile south of Amity on Meridian Road. To the north is R-4 zoning and the city property that is undeveloped. Also in that area is a county dispatch tower that also resides north of the property. To the east is R-8 zoning, but undeveloped land. To the south is R-8 zoning that is being developed currently under the Prevail Subdivision, which was approved under the Percy Subdivision. And to the west is Meridian Road. Further west of that is a county RUT parcel, as you can see here. Future land use map designates this property as medium density residential, which allows residential uses to be constructed at the density of three to eight dwelling units per acre. As noted, the subject site is approximately five acres -- 5.25 for the plat, versus 5.6 for the annexation. It is in between multiple parcels that are already annexed into the City of Meridian. As noted, the site to the north is city-owned property that is reserved for a future well site and currently only has access to Meridian Road. The site to the north -- sorry. The site to the south is the 113 lot Prevail Subdivision, which was approved in 2019, currently zoned R-8 and has an access to Meridian via a collector street, East Court Street, which would be right here as a temporary emergency only access to Meridian Road as well, directly south of this parcel. The applicant on this application is the same as that for the Prevail Subdivision to the south, which makes Prevail North a continuation of that subdivision. The applicant is proposing Prevail North with gross density of 3.42 units per acre, which

is at the low end of the allowable density. Because this is an extension of the Prevail Subdivision to the south, the applicant is aligning the proposed lots with those to the south. Due to the site constraints for it being deep, but relatively narrow, and having a waterway along the north boundary, the applicant is only proposing homes on the south side of the site. The revised plat is proposed with 18 building lots and three common lots on the five and a quarter acres. The original had 19 building lots. It appears to meet all UDC dimensional standards for the requested R-8 zoning district. The project is proposed as one phase, but will, essentially, be the phase three of the Prevail Subdivision. The applicant has submitted conceptual elevations of the detached single family homes, but this use does not require design review. But the elevations do depict a majority of two story homes with the two car garages, as one -- with varying home styles that are noted specifically as traditional, craftsman, and contemporary. The subject site contains a large section of the Carlson Lateral, which can be seen here. This has both the current -- I guess location and topography, as well as the proposed, which is the boxes and the line here. The applicant is proposing to both reroute and pipe this lateral consistent with the desires of the city engineer. Piping this lateral will allow for more buildable area of the subject site. Will fix some of the topography issues with the city-owned property, as well as for this site and allow easier maintenance by Boise Project Board of Control. Staff supports the piping of this irrigation lateral and the proposed plan complies with city code. The proposed public streets are proposed as 33 foot street sections with attached and detached five foot sidewalks, allowing for on-street parking where no driveways exist, which does include the entire north side of the street, except for the bulb out at the center. Attach sidewalks are proposed -- are proposed along the new street on the south side, but the north side is proposed with a parkway. Access is proposed to be extension of Key Port Avenue from the south, which is a local street stubbed to this property already from Prevail Subdivision. The collector street, which is what's the east-west street, is proposed as approximately 908 feet in length from the center of the western cul-de-sac to the east property line. Although the length of the street from east to west is greater than 750 feet in length, South Key Port intersects the street approximately halfway to break up the block length. So, there are no code issues with the proposed block length. In addition, UDC 6C-3, subdivision design standards, notes that dead streets cannot be greater than 500 feet in length without an intersecting street or without a Council waiver. Because of South Key Port intersecting Liberator at its location, neither the west or the east cul-de-sac is greater than 500 feet and, again, does not require any Council waiver and meets code. The applicant is also proposing two stub streets to adjacent properties, one to the north out of the west cul-de-sac and one to the east out of the east cul-de-sac. Staff supports the overall road layout and stub street locations as proposed on the revised preliminary plat. Though there is potential for topography to complicate the future road extension to the east, staff highly recommends maintaining the stub street to the east for added future connectivity through the Brighton parcel to the east. This recommendation is based both in Code, UDC 11-3A3, and from recommendations of the Meridian Fire Department for better neighborhood connectivity and emergency response access as the properties to the south and southeast develop. The minimum amount of qualified open space that should be provided for this site is .53 acres based on a class size of .525. With the revised landscape plans the numbers discussed within the staff report are not accurate and they have been updated since the original publication. The applicant is continuing a segment

of multi-use pathway along Meridian Road frontage, which qualifies as a required amenity. Because this plat would be an extension of the already approved Prevail stub to the south, the applicant has indicated these future residents will be able to use the other amenities and open space within that subdivision. The closest amenity to this space is an open space lot with a playground directly south of Key Port Avenue extension and has a micro path in direct alignment with that amenity lot. So, Prevail North is here. Key Port, micropath, tot lot in the center of the development. The applicant is proposing approximately 1.15 acres of overall open space, which is approximately 22 percent, with .74 acres of the area as qualifying, which equals 14 percent. A change that occurred since the original publication in the staff report is that the fencing along the Carlson Lateral easement has been moved to make the easement area nonaccessible and, therefore, cannot be counted towards a qualified open space, which you can see as the brown area on this color plan. Fencing the easement area off aligns with Boise Project Board of Control comments and city code for added safety. Despite being less than previously thought, the proposed open space still exceeds the minimum requirements and staff is still in support of the proposed open space and landscaping. The Commission -- really, their only point of discussion was the purpose of rerouting the Carlson Lateral and how its -- its new placement can affect any future road extensions from the proposed stub street out of the west cul-de-sac. Other than that they did not have many questions and the Commission did recommend approval of the subject application. There was no written testimony prior to the Commission hearing and no written testimony prior to the Council meeting. So, for that I will stand for any questions from Council.

Simison: Thank you, Joe. Council, any questions for staff? Okay. Thank you very much. With that I will turn this over to the applicant. State your name and address and be recognized for 15 minutes.

Schultz: Matt Schultz. 8421 South Ten Mile. I promise I won't speak 15 minutes, but we will see how it goes. This little -- I call this little sliver of land North Prevail. When we started Prevail two years ago we looked at it, for sale by owner, who pretty proud of the price, considering it was approved for mini storage. They have challenging access and that it didn't have any access to Meridian Road, which was the access. Even so, it's so expensive to develop with the 48 inch lateral to the north and the grading and getting lots on one side and we passed. But recently in the last six months we re-evaluated that decision and, thought, maybe we should do it. So, here we are. It is challenging from an engineering standpoint. It is expensive. But the market is allowing us to -- we are seeing this as a positive endeavor to move forward, but it also importantly for us and probably for the city, you get to control the lot size, incorporate them into our HOA, join the pressure irrigation system and there is a third dimension to this that you can't picture from these exhibits in that there is about ten feet of fall from that -- that tan area on the north, which is flat, down to the road, that we are -- Liberator Road and there is another ten foot drop from the back of our lots down into Prevail Two. It's a very challenging site from a grading standpoint and coordinating that grading is very important and we are able to do that. Having -- having bought this piece and we have already started engineering it and it's -- it's even a little bit worse than I thought in terms of the amount of dirt we have to move and cut and fill to shape it all in there, but it works. It's tight, but it works. So, with that I

think the positives are it incorporates nicely into Prevail. It's an extension. It cleans up pretty messy little hillside sliver with limited access and it -- it works and we are looking forward to developing it over the winter when we can pipe that ditch. Typically we normally ask for a waiver, since it's such a large one, 48 inches. However, it is up on a hill. We do need to straighten it out and it's very important that we just get that thing underground in a concrete pipe and not leave it hanging up on the side of the hill. Not that it's ever blown out, but you never know. So, it's just -- we are not even asking for a waiver, we are just going to pipe it and get it done. Very expensive and it's just what you need to do. For me there is -- there is only one issue. I'm going to ask for a little bit of -- we do agree with staff's conditions of approval and there is a whole issue about the access that was mentioned. There was a point of -- the only point we kind of discussed with staff going to the north. It's always important to continue and have connectivity to additional properties. We are limited by Meridian Road on our west. We can't access it with vehicles. We are going to access it with a pathway -- a pedestrian pathway. So, that leaves the property the north, which is a city property that's -- that we have this large -- oops. This large pipe up on the top of the hill and we are coming down and we need to get our cul-de-sac up over that to provide connections to the north. So, I'm -- and I know your Public Works Department has said we really don't want that connection to the north. We don't need that connection to the north. I would say if -- if the city parcel could get connections from -- from that parcel to the north out to Amity, we would prefer to eliminate that little connection. It would allow us to drop our cul-de-sac about six feet and there is a whole lot of slope grading and other complications, but if we have to do it we have to do it. I'm just saying if there is another alternate route in the future to the north out to Amity, that would be the way to get to the city property and not through this -- this piece out of the end of that west cul-de-sac. That's all I'm saying. Our design horizontally stays the same with the cul-de-sac where it is, it's just vertically does it -- does it move up or down six feet in the air is the only change, which you just can't see here, but we started engineering plans a little bit early, so we kind of know where we are at and that's my only request. But other than that -- I know Brighton's saying that -- that stub street for the east will never go through. It's their, you know, last phase. They claim it's eight years out. It is -- there is a drop off as you go east down into a ravine where the city sewer goes through. So, it is challenged with some topography going east, as well as north. I'm just saying the one to the north, we would like a waiver from it to not have to lift it up so high to get up and over that pipe and just kind of be able to drop it down and blend in the -- the topography a little bit better. But we can live with either decision. And I hate to see Public Works and Planning disagree, but it's -- it's kind of interesting. But other than that is just one of those issues that's come up at Public Works. It doesn't need it, but Planning says we really like it and so -- but it's a future city water tank site. I guess it's five to ten years out. It's situated at the top of the hill, which is where you want your water tanks. It's the high point of south Meridian and that's why we have some topographical challenges. So, with that I will stand for any questions and ask for your approval. Thank you.

Simison: Thank you, Matt. Council, any questions? Okay. Thank you very much. Madam Clerk, do we have anyone signed up to provide testimony on this item?

Weatherly: Mr. Mayor, we do not.

Simison: Okay. Is there anybody in the audience who would like to come forward and provide testimony? Now would be the time to do so. Or if you are online and would like to provide testimony, please, use the raise your hand feature and you will be unmuted. Seeing no one wishing to provide testimony in either fashion -- so, would the applicant like any final comments? Nope? So, Council, turn this over to you for questions, comments, or motions.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Question for Mr. Stewart in our Public Works Department. If you wouldn't mind, Warren, explaining the situation for that north stub a little more for us. This is for a future water storage facility that we have to be prepared for? What -- or is there something already -- and there is -- is there an existing well site there already or both?

Stewart: Thank you, Councilman Hoaglund. Mr. Mayor. Members of the Council. We -- we bought this property a number of years ago. After we bought the -- the reservoir site on Locust Grove Road, just south of Victory, and there was a lot of work that had to be done with the community to -- to put that water tank in. We wanted to make sure that the next water tank that we put in that we were out way ahead of that. So, we bought this property a few years ago, knowing that we were going to need a water tank out in this area. It's one of the things that Matt brought up is it's on the top of the hill, so we have got a lot of elevation there, which is good. We can gravity to -- for pressure in the system for -- if that's the direction that we decided to go. We also think it might serve as a good well site in addition to the reservoir site in the future. The conundrum that we are running into here between us and, essentially, Planning -- Planning has their rules in one thing and another about connectivity. The City of Meridian site comes -- has a direct access off of Meridian Road. It's a deeded access from ITD. We have already confirmed ITD has no intentions of taking that away. We will have to bring in large trucks and vehicles -- semi trucks and so forth into this site, not only for construction, but also chlorine delivery and other things on an ongoing basis for operations and maintenance. We feel that it is a much better solution for us to bring those in directly off Meridian Road, rather than to wind through a residential subdivision to get into our facility. So, we would like to keep the access that we have off of Meridian Road and be able to utilize that for access to the site. There is also on the western portion of this site a large radio receiver tower that sits there that belongs to the county and so you have got both of those pieces -- elements in there. You can see it on the far right picture, that little kind of triangular shaped piece, that's the -- that's the tower. That's the communication tower. We plan to site our reservoir and potentially a future well site immediately to the east of that. So, there is not a whole lot of place for that road that goes up right there on -- just off of Meridian Road. There is not a whole lot of place for that to go anyway and its topography is challenging, to say the least. So, that's the situation and I will answer any additional questions that you may have.

Simison: So, Warren, just kind of follow up on that. Is it that you need -- that you want

that access for construction or you want to take that access at all times?

Stewart: We would prefer to have that access at all times. We think -- this is kind of an industrial facility. We would prefer to have an access even for operation and maintenance. We have to -- you know, we have to bring well drilling rigs in there periodically just to clean the well and, really, don't feel like winding through the subdivision is the way to access that site.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: I would also like to comment on this, just to clarify two things. One, when the city property does develop -- to maintain that access they will need a waiver from City Council, because our code does not allow that, because they -- if they have a lesser classified street to take access from, which, then, leads to this project and this site. Staff is not -- by proposing a street from this site to that site we are not saying that they cannot have that access, but, obviously, it would be required to request a waiver from City Council. Nor am I telling Public Works that they should circumnavigate the residential development order to do that. If ITD says that it's okay I'm assuming that that property will -- when that project comes through Council will take that into account. But that's -- that property is not on the docket tonight. Our code does require those additional stub streets for connectivity. So, if it is Council's purview to remove one or both stubs, that is your purview through the Council waiver.

Stewart: Mr. Mayor, if you will.

Simison: Yes, Warren.

Stewart: City Council. We understand that. We are -- you know, we realized that that arm wrestle may come at a future date. Just wanted to kind of offer perspective from our proposed use of that facility, what we think. We will -- we will work with whatever we need to. But for the time being we will just fence it.

Simison: Something for a future -- and this is where my question is -- at what cost are we going to build a road from Meridian Road into the site, because we got to go around a few corners once a year or once every other year. I -- that's a conversation for -- maybe for the future, but in part today, I guess. I -- it's a legitimate question I would have from that. I mean we do have another well site inside a subdivision. Granted you don't have to go through corners to get there, but --

Stewart: Yes. Mayor, there is one other sort of mitigating factor, if you will, that the Council probably ought to be aware of. Because that is the lateral, the irrigation district has a maintenance road that goes back there. That access road already exists. It's the access road for our site and for the maintenance of that lateral. That will not go away. The irrigation district is going to insist that that be maintained, that there be an access along

that ditch no matter what and so that road will probably always be there, whether we are allowed to use it or not, because the irrigation district will insist that they have it for maintenance and so that road already exists into the site and it's an improved gravel road. I just wanted you guys to be aware of that that little nuance exists.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I don't know, Warren, if you can tell me -- I mean this is a site with three separate applications -- or we will have three eventually. We got the radio tower. That's for the county. We have got a City of Meridian well site. And, then, a water storage site at some point in the future. And so there are three -- three different activities going on. The most active one I'm assuming would be -- is it the well that needs the chemicals or is it the storage facility that will need it? I don't know how many active trucks will be going to that tower site for occasional possible maintenance or just checking the site, but can you tell me about the water and storage and well site and how much access is needed for that, how often?

Stewart: Sure. So, the first piece of that puzzle that will go -- well, of course, the tower is already there. That's owned by the county. It's not even on our property. They have their own piece of property. But it is a big facility there that, you know, takes up a fair amount of space. The first thing that will go in on our side is the water tank itself and, then, in association with that water tank will also be a booster station. It will look very similar to the facility that you see on -- on Locust Grove Road south of Victory. And so that will be the first elements that get put in place. There are situations where -- well, for one, because there is a booster station and a tank, our operations and maintenance crews will visit it multiple times a week with their regular vehicles and equipment. Every time we have to go in and do maintenance on a pump there will have to be a crane tractor that comes in there, lifts the pumps and motors out of the roof and one thing and another. That happens periodically. But that's, you know, hopefully only every few years that that takes place. There might also be a need for chlorine injection to keep the water fresh. We don't know that until the design is complete until we, you know, get the opportunity to work through those issues. But certainly if we, then, go ahead and put a well on -- which is not for sure, because we would have to do a test well first and find out whether that's a good candidate for a well site. We think because of its proximity to the reservoir that it might be. But if that went in, then, there would be certainly delivery of chlorine to the site for chlorine injection. There would definitely be people visiting it every day and every now and again -- every five years or so there would be a big drilling rig that would come in and set up and -- over the top of the well and clean and -- and service the well and put it back into service after they are done. So, that kind of gives you a flavor of what takes place.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Warren -- and maybe give us a flavor -- like a drill rig sounds like a -- like a very sizable vehicle to me. Maybe just give us an idea of, you know, the -- the real constraints around getting these vehicles to that site.

Stewart: Well, it is -- it is a big rig. That's the biggest one I can foresee going in there. But those drill rigs are -- are very large -- large apparatus. They are probably the size of our biggest fire trucks or maybe even bigger and so -- I mean could we go through that subdivision? Perhaps. The thing that concerns me is immediately north of the little cul-de-sac, the northern stub that you see there, if you can see where that tower is, you see the fence -- you can see that fencing across there. Immediately to the north is the -- is the tower. So, we would have to make a pretty significant right turn pretty quick to get back into the site and you can see where that tower property is, we would come out of that little bulbous cul-de-sac going on the north and we would have to immediately turn to the right to come over to where we plan to put the -- that's going to be a tight turn to get one of those big rigs in. Whether we can do it or not I don't know. I haven't actually put the radiuses on there to see if that -- how easy or not that's going to be. But it's going to be -- it's going to be challenging. I think the bigger question is do we need a public street diving into that industrial facility. I don't know. I'm not here to try and argue this point tonight. I really am not. I'm not trying to give our Planning Department a hard time. I just want to -- you know, from our perspective what we feel like we need versus what we don't necessarily need. If this is going to be a subdivision to the north, I can certainly understand that -- that access. But that's not what it will be.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: If Council were to consider a waiver in the situation would that need to be a separate noticed public hearing from what we are doing this evening?

Dodson: Mr. Mayor, Council Woman Perreault, that is -- no, it would be included in your motion tonight.

Perreault: Okay. Thank you.

Hoaglun: Mr. Mayor, question for Joe real quick. So --

Simison: Councilman Hoaglun.

Hoaglun: So, that -- that stub to the north, it's just -- staff was looking at it as a connection for that -- for those properties of that -- by the city and county. There -- there will not be any additional access that you can see or -- we know there is not an application there or anything, but is that what staff is looking at, that there is some potential for connection for other development out there besides what is planned now?

Dodson: Councilman Hoaglun, that's a good question. I would say that because that

application hasn't come through and I assume, as discussed, that the city Public Works is going to ask for that connection and because of the examples of the use of the drill rigs I can conceivably say the staff may support that waiver in a future application. I don't necessarily see an issue that -- it would also be another great access for fire. Getting a thumbs up. So, that -- yeah, that -- that plays a part in it. To the north of the city property, north of the county site, there is a property here that is currently I believe approved for some type of storage. However, that, with the changing market, has come across in meetings of maybe going to a residential, which, again, having an additional public road connection that isn't Meridian Road is part of what our comp plan and what our code talks about. So, yes, having a public road bisect a piece of a city property is not ideal, which is why the applicant worked with Public Works and moved it from the east cul-de-sac to the west cul-de-sac, because of sewer easement, because of topography, because of the potential -- or proposed location of the well and reservoir. So, those things have been taken into account, again, for planning future connectivity that is what we would like. I do want it to just be reminded that the city property isn't before us tonight and, then, on top of that, because it's ending in a cul-de-sac with a little stub of right of way, there is no requirement that I know of, unless ACHD can correct me, that that road will have to be extended into the city's site. If the city's site comes in and they say, no, we just want to have our access, it is what it is and, then, there is just a fence, because it is in a cul-de-sac. So, there is potential for different alternatives coming forward once the city site develops, which, again, five to ten years we will see how development in south Meridian works, but at least for now staff -- Planning staff wants that opportunity.

Bongiorno: Mr. Mayor?

Simison: Yes, Joe.

Bongiorno: Since Joe brought it up, that access to the city property would have potential to give us another access into Prevail. As it sits right now Prevail only has one way in and one way out for that whole subdivision, including this new piece that -- that is being added onto it. There -- there is a temporary emergency access there, but as things are growing out here this temporary emergency access is turning into more of a permanent emergency access. So, it would be beneficial for the Fire Department to also leave that little nub there just in case we need to get through to Meridian Road.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Question for deputy chief. Then if that access is there, the stub there to the lane north and that road -- we know the lateral is not going to go away, that's going to be there for maintenance purposes and it sounds like it's improved gravel, does that become the emergency access for that subdivision or will that still need to be maintained for that -- where they are showing it now as well?

Bongiorno: Mr. Mayor, Councilman Hoaglun, I -- it would have to be maintained and we

-- it's kind of like Warren was talking as well, you know, I don't know exactly what the lateral does right there, I haven't been out there, and so I don't even know -- like he needs to make that right-hand turn, I would have to make that left-hand turn or a right-hand if we are coming in, so we would be in the same boat. We just have to see what the layout of it -- what it looks like to see if we can make that corner, because we have -- we have the same problem with the large fire engines, so --

Dodson: Mr. Mayor, I want to clarify that point --

Simison: Joe.

Dodson: -- further that -- that making that emergency access is not part of the application currently. The one to the south with Prevail Two may be maintained and that would be the official emergency access. Should there be a big emergency and fire has to use it I'm sure they could. Sure. I would love to run a fire truck through the fence, but it's not one of the official emergency accesses that we are proposing.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I would like to hear -- have Matt weigh in on this discussion a little bit on thoughts for that -- that access. It sounds like there is also some steepness to that. I'm just thinking slope plus turn, I -- and that's the hard part about these things, we don't -- it doesn't come in 3D, so -- and we don't deal with a lot of hills in Meridian, so it's hard to -- you know, you go by there on the highway and you see it, but you don't really appreciate slope until you are actually out on site and looking at it. So, if you could give us your observation and comment.

Schultz: Thank you, Mayor and Councilman Hoaglund. I didn't know if the public hearing was closed or not, so -- appreciate the opportunity. My thoughts are the topography and the factor there is a large diameter pipe right north of our property line where that ditch is piped is high, if you will, and the cul-de-sac wants to go low and you have to get up over that meeting emergency access rules for steepness and cover and the ditch company doesn't like us to do what's called a siphon where you drop the pipe and come back up -- they don't like that. So, that would be a solution, you know, later if it ever wanted to be extended is siphon that pipe, drop it low so you could put that at the proper steepness and we could still drop the cul-de-sac now and it would all blend in. I did observe and -- Public Works director Mr. Stewart did point out the -- the location of this stub is not ideal for -- for getting into that site in terms of -- it's a pinch point with the -- in addition to the topography -- the horizontal pinch point with that -- that tower site. You can see the fence there just due north of the corner and it would be a hard turn in there. So, my thoughts are, obviously, there is no waiver for the -- the mid mile access policy on the -- on the agenda tonight. It's not our -- you know, not -- not our prerogative to ask for that, but I know the ditch company is always going to use that mid mile access. They are always going to use that and if Warren is correct that ITD would grant that, I see it as a very low

impact waiver that the Council would probably grant, but that's just my -- my speculation later that we wouldn't need this connection to the north and, then, we wouldn't have these industrial trucks coming through and things like that. So, from a pure engineering standpoint I would like to eliminate it, but that's just my -- my personal -- I don't want to lift that cul-de-sac six feet to get up and over that pipe is my personal desire for it and, then, there other issues that have come up and I appreciate the -- the discussion always. There is a -- there is a lot of different angles on this, but we are willing to do it either way. We will make it work either way and we are not here to hold up anything. It's just we are asking for the waiver. I know Warren is suggesting that it get waived and that's where we are at. Thank you.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Before we close the public hearing I guess my first thought that comes to my mind is if I were a homeowner there I would probably want as much protection from, you know, that -- city-owned properties as I could. I also think that, you know, if that were not a city property would I treat this property differently and I don't know if it would. I don't think I would. So, just -- just a quick thought for me I would -- I would be -- I'm leaning toward granting the waiver just -- I don't know if that's necessarily needed at this time. Like I could change my mind, I just wanted to give my thoughts to start -- to start the discussion.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. I was on Council when the other water storage facility went in off of -- Warren, was that Locust Grove and Amity or -- no. Or Victory? I think it was Victory. Victory. Yeah. And it was amazing because you had a lot coming off of Victory, it didn't go through a subdivision, but people were up in arms because they could see it and it was alongside the creek. There is no way in the world that would have happened if we, then, told them the city vehicles are going to be going to that site in and out. I mean we are talking there were people up in arms. Well, you see how people get sometimes when you are messing with their -- their home, so -- and even though this is in the -- in -- this stage right now people aren't living there, you still have to think people would not want those vehicles going through their subdivision and it's -- the thing where -- where there is the access for the irrigation district, we know that's not going to go away. That is part of their easement and so that kind of makes that decision a little easier. I appreciate deputy chief's -- you know, looking for other access points. It's always -- always a good thing. But even if we were to require that to stay, there is still going to be the fire access requirement. So, it's not like it's really needed for fire access. Future -- future development. I mean, Joe, you know, you give me pause to think through that, you know, is there going to be future development. What does that look like? Again, not -- we might start needing for these areas the -- the grid -- grid maps, you know, the topography maps on these, because to figure out, oh, that's a really steep slope, because grid lines are so

close, because it is hard to tell, really, to know what that slope is and you go, yeah, that's such a steep slope they are not coming up that. So, it's -- it's -- it's -- it's hard -- too hard to tell. But, you know, we do want to pay attention to that connectivity and it makes sense and we -- I think we are pretty good about making sure we have cross-access and different things like that. So, you know, the one going to the east I'm -- I'm -- I definitely think is needed. It may not be needed in the future, but that's a possibility. Again, there is a ravine there. I don't know what that looks like. But to me that makes sense. The other one not so much. So, that's just kind of my -- what's going through my brain right now.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I do have a question for staff. For Joe. So, you would say there is a privately owned property to the north of -- of what the city has and we don't know at this point if they would get access off of Amity. Could that potentially landlock that piece of property --

Dodson: Council Woman Perreault.

Perreault: -- because of ACHD's rules regarding access from arterial roads?

Dodson: Council Woman Perreault, it wouldn't landlock them, but it would make -- if they don't have a public road from this site through the city site. So, again, that would be predicated on the city site providing that stub street to their northern property line -- property line. I could say that ACHD -- or they have to provide access, so they will, to either Meridian or Amity. More than likely Amity, but it's going to be probably a restricted access. But it would also be determined on what use they are proposing. Again, right now I believe it's -- it was approved for some type of storage, which, you know, is neither here nor there how we feel about that, but the access points for that are going to be different than what someone's going to want for an apartment complex or even a mixed use, which it is designated as mixed use on the future land use map there, so -- which would be --

Perreault: Mr. Mayor?

Dodson: Where is the mouse?

Simison: Council Woman Perreault.

Perreault: Joe, do you know the size of that parcel or multiple parcels?

Dodson: I believe it's at least 18 acres, the larger parcel.

Perreault: Okay. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, Joe, if we -- if we kept the stub does that give us the most optionality possible in your opinion?

Dodson: Yes, ma'am.

Strader: That's kind of what I'm leaning toward personally. I think that at least keeps our options open to the future. I think Council Woman Perreault just brought up a really important point about the property to the north.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Warren, I recognize the location of the storage tank, it's kind of unique, but do you have or is there plans to put some type of signage out there so that as this part starts to develop at least people know what's coming?

Stewart: Well, Council Member Cavener, Mayor, Members of Council, we have had that site up -- or that sign up since the day we bought it.

Cavener: Awesome. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Just a follow up again on that -- that parcel to the north. Is there any chance to see -- I mean what would the process look like if an applicant came in and requested access through the city property, one, is it likely that it would be granted. Two, is it feasible to actually have access because of the location of this tower and, three, is it going to bisect that -- the city property in such a way we can't use it for what its intended use is?

Dodson: Council Woman Perreault, great question. It is a little awkward because of that -- where the property lines are for the county tower -- it's in that weird shape because the -- the -- the anchor lines -- the anchor points for that tower are very similar to where the end of the property lines are. So, where that stub is you can kind of see it here. Blue line I wish was gone. But probably would have to kind of snake around it and, then, come up engineering wise and ACHD minimum radii and things like that. I honestly do not know if those could be met and that's unfortunate. So, it might be a moot point. I do understand that predicament there.

Simison: Would it be possible to pull up Google Earth?

Dodson: Yes. Perhaps. Our GIS would be better, but I don't know if this login will let me log into that.

Stewart: You can turn on contours in GIS if you can do that.

Bongiorno: Mr. Mayor, while he's pulling that up I did -- for Council Woman Perreault that property is 15 acres. It's 15.15 and the one next door to it is 5.84. I should have a map up -- there we go. Should have this here -- I can't turn on all the layers I want just because of the -- their map that's available to the public versus what's available to staff is very different. But generally the cul-de-sac I believe is right here. So, that stub would kind of stub into here. I do not think that having a stub road here would make this site unusable. That road is going to have to fit here regardless of -- if it's an access road or a public road, which I would not propose a public road from this point and if it was aligned up here to the east I think that would be more of a driveway access with a gate on it to protect and keep our site -- our city site safe and keep residents safe. But what they do with this western piece I have been -- I'm under the impression that there is nothing that can be done there for the city, it would just kind of be there anyways. So, I do see both sides. I do agree with Council Woman Strader that it does give us the most optionality. Not necessarily that we have to pull the trigger on any of it, but at least it gives us the option.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you so much for that. So, either way the property to the north is going to have to get access off of an arterial. That's kind of what I was trying to understand.

Dodson: Yes, ma'am.

Perreault: Thank you.

Dodson: Mr. Mayor. I would also like to note that if there -- if there isn't a stub from this property and when the city site develops we are basically requiring Council to -- to grant a waiver to access Meridian Road, because they would not have any other access point. With that I'm also not saying that we should only allow access through the subdivision to the south because of the issues that we have discussed, I think that might be a poor decision as well. I would not promote big trucks coming through the residential neighborhood. I would not be happy about that either. So, there is multiple facets to this as usual. I can't come to you with an easy project. But it's part of the deal nowadays.

Perreault: Mr. Mayor, I have another question for the applicant if it's permissible.

Simison: I'm sure he would love to answer your question.

Schultz: Thank you, Mayor.

Perreault: Thank you, Matt. So, just so that I'm understanding correctly, you are not requesting that the -- to necessarily eliminate the -- the access, the stub, you -- you would prefer that a section of that pipe be moved and completely removed by Public Works and that would make it more feasible from an engineering standpoint to leave the stub or are you requesting that this -- that the cul-de-sac stay, the stub not be added and the cul-de-sac would just be enclosed? Hope you can give us clarity on that.

Schultz: Yeah. So, we -- when we first started this layout we -- this issue about connectivity came up and we have moved and jockeyed around, say here is where we think it should go and, then, you started digging into the engineering and do we really need it. If we really don't need it, then, let's not, preferably, is kind of where we are at, because it does cause some complications with the ditch company. I'm sitting here thinking if you guys approve it with the stub and we design that cul-de-sac high enough to get up over that, it's -- I'm going to go to the ditch company and ask them, hey, can we -- when the city does come in and they do connect this thing, can they -- can they put two manholes on the other side and drop the pipe, so the road can go down shallower and we could just today lower that thing, just keep it low. I'm going to ask that question before we go the final design. If you do approve the stub. If we don't need it and the thought I have, I just -- I thought you guys might have some access off of the Amity through the -- through the industrial sites already. I thought that could be an option as well, which has not come up. That -- that might be an option to get you another -- in addition to the -- the mile access, which is a mid mile -- it's not a mid mile, but the South Meridian Road access, it's always going to be there because of the ditch company anyways. So, that north access is an option. If we really don't need it we are asking for the waiver. If we really need it, then, we will deal with it and we will deal with the ditch company and try to explore other options. But we would just like to eliminate it and fence it off. So, I would like to add -- which I didn't point out this first time -- that -- that tan piece that's in the color rendering that's going to be part of the easement, we are proposing to give that to the city, just because we are going to fence it off between the tan and the colored with a wrought iron fence. So, we are going to get a wrought iron fence the whole way. We are going to pipe that ditch the whole way and, then, I'm going to have this HOA owned -- or not HOA owned, but if we would have somebody to give it to, an HOA no man's land, that we would rather just give it to the city -- deed it with our plat. It's a half acre. Can't build anything on it, but you can certainly turn around trucks on it and probably park on it. So, that is part of the proposal as well, too, that we deed that half acre strip, which is not talking about that stub, that's just a by the way -- informational and I forgot to mention originally, so thanks.

Simison: Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we close the public hearing for -- let me make sure I get the number right. Prevail North Subdivision, H-2021-0021.

Strader: Second the motion.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Why is it always these small applications that have the most questions. I don't know -- I would like to make a motion -- I'm not sure I'm going to actually word it correctly, so I will rely on staff as far as the Council waiver goes. But I move that we approve the application for Prevail North Subdivision, H-2021-0021, with a waiver not to require a stub street on the western cul-de-sac. Do we need more specifics than that?

Dodson: Mr. Mayor, I -- that's enough for me to make the motion and I guess add a -- sorry. Wheels are turning here. A little slow these days. They could either add it as a DA provision or make a specific comment within one of the conditions of approval of the plat to just say that the requirement for the stub street north is no longer there. It was waived by City Council.

Perreault: Do we need to reference the section of the staff report that specifies the requirement?

Dodson: No. I can take care of that, as well as the parcel number to the parcel to the north.

Simison: Do I have a second?

Hoaglun: Mr. Mayor, second the motion.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yes. I still think it -- it probably works either way, so I think I would probably vote for it either way, but I -- do we feel like we still have kind of the -- I guess my question -- maybe through you to Council Woman Perreault, would be does she feel like her concerns are alleviated about access, then, to the property to the north in the future?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I do. It sounds like there is quite a bit of confidence that the city will still be able to access from Meridian Road and that's the preferred method of access on the city's part for construction vehicles and personally I -- I think it would be wise for the city not to take access through the subdivision, so -- it does -- it does have concern if at any point in time -- I don't know if ITD can remove that access from the city. I assume not. That would be my only concern. But, otherwise, it sounds like there is quite a bit of confidence that the city will be able to access it from within -- and I believe that the city should.

Bernt: Call for the question.

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

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

Simison: All ayes. Motion carries. The item is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

6. Public Hearing for The 10 at Meridian (H-2021-0025) by J-U-B Engineers, Inc., Located at 75 S. Ten Mile Rd.

- A. Request: Annexation of 40.30 acres of land with R-40 (13.04-acres) and C-C (27.25-acres) zoning districts.

Simison: Next item is public hearing for The 10 at Meridian, H-2021-0025. We will open with staff -- this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. Sorry for the delay there. The next application before you is a request for annexation and zoning. This site consists of 40.3 acres of land. It's zoned RUT in Ada county and is located at 75 South Ten Mile Road at the southwest corner of West Franklin Road and South Ten Mile Road. The Comprehensive Plan future land use map designations for this site are mixed use commercial, which is approximately 22 acres, high density residential, which is approximately 11 acres, and an approximate three acre portion of mixed use residential, kind of a little sliver there along the southeast boundary of the site. The applicant is proposing to annex 40.3 acres of land with R-40, which is 13.04 acres and C-C zoning, which is 27.25 acres. A conceptual development plan was submitted as shown that proposes a mix of offices, a financial establishment, retail pads, a grocery store, vertically integrated residential and multi-family residential in accord with the associated mixed use commercial, high density residential and mixed use residential future land use map designations of the Ten Mile Interchange Specific Area Plan for this property. A phasing plan was not submitted. However, the applicant states the three story flats and townhome style multi-family residential and clubhouse will develop in the first phase, along with the

associated infrastructure. The four story high density multi-family residential will follow, with the commercial last as tenants commit. A future preliminary plat will be submitted and the final plat -- or it's proposed to be final platted in one phase of development. Access is proposed as shown on the concept plan. ACHD supports the following accesses. Access A, full access. Access B, right-in, right-out only. Access C right out only. Access D right-in, right-out only. And Cobalt, right-in, right-out, left-in only. Staff recommends access is restricted through the development agreement as supported by Ada County Highway District. Cobalt Drive is proposed to be extended to the west from Ten Mile. The eastern portion lies entirely on the subject property and will require construction of a bridge over the Kennedy Lateral and stubs to the south to be extended entirely on the adjacent property to the south. This is generally consistent with the master street map for this area. The applicant requests Council approval of a waiver to UDC 11-3A-6B3 for portions of the Kennedy Lateral, which bisects the site to remain open and not be piped. Conceptual building elevations were submitted for the proposed multi-family flats, townhome style multi-family, high density apartments and clubhouse as shown. Final design is required to comply with the design guidelines in the Ten Mile Interchange Specific Area Plan and the standards in the Architectural Standards Manual. A development agreement is recommended as a provision of annexation that contains certain requirements for development of this property as noted in the staff report. Staff requests Council motion include a revision to the development agreement, Provision A-1-D, which requires the subject property to be subdivided prior to any development occurring on the site, to, instead, require the property to be subdivided prior to issuance of the first certificate of occupancy for the development and this is consistent with what the applicant is asking for tonight. The Commission recommended approval of the subject annexation request with the requirement of a development agreement. Wendy Schrief. JUB Engineers, the applicant's representative, testified in favor, along with Layne Borgess and Hethe Clark. Cody Black commented on the application. He was representing the property owner directly to the south. Written testimony was received from both Cody Black and Wendy Schrief, the applicant's representative. The key issues of discussion by Cody Black -- he was the property owner to the south again -- requests the western portion of Cobalt Drive be located on the subject property and not on their property. Key issues of discussion by the Commission was the location and alignment of Cobalt Drive to the west and opinion that too much residential may be proposed. That the northern flats should be converted to commercial uses. There were no changes made to the staff recommendation by the Commission and the only outstanding issue for Council tonight is the applicant's waiver for portions of the Kennedy Lateral, which bisect the site, to remain open and not be piped as I mentioned. Staff was asked by Council to provide information on residential units in the Ten Mile area that have been constructed. There were -- there are 517 single family units and 1,389 multi-family units that have been constructed in this area and, then, there was some discussion I believe earlier wanting to know what the percentage of the site was proposed to develop with residential uses and that is 64 percent of the site, with 36 percent being commercial and just in the mixed use commercial section there is 41 percent of that area that's proposed for residential uses. Staff will stand for any questions.

Simison: Thank you. Council, questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you, Sonya. I appreciate some of the follow up and, you know, so we just had a presentation not too long ago kind of -- by a fabulous intern that did some work for us walking us through the pitfalls of mixed use and I -- I think it's important for us to learn our lesson. So, I had a few questions. You know, one of the questions I had was what percentage of commercial would we expect based on the FLUM or the comp plan for this overall area to be consistent with that?

Allen: Mr. Mayor, Council Woman Strader, Council, so the numbers in the -- in the comp plan are -- for mixed use commercial are 20 percent residential with 25 percent office and 50 percent commercial.

Strader: Okay.

Allen: Five percent civic.

Strader: Mr. Mayor, if I may, I had a few --

Simison: Council Woman Strader.

Strader: All right. I will stick with it. Thank you very much. And so that -- that sounds like that maybe a bit off. Another question I had was do you feel like for something of this size that it's typical to go for an annexation and zoning without the final plat? I guess one of the concerns I have -- you know, we have heard that we run into situations where the residential goes in and, then, unfortunately, the commercial may go in last and so we may not actually get the commercial that we want. So, that's a big concern of mine is -- you know, I guess I'm looking for staff's commentary on how we could avoid that situation here if we can.

Allen: Mr. Mayor, Council, clarification on what we just said. That was actually from the Land Use Development Report 2021, the numbers I gave, and in response to Council Woman Strader's comment about the final plat, a final plat is a subdivision of property. Your concept plan is what conceptually locks in the uses for the property. So, that's what we use in determining whether or not a project is consistent with the future land use plan for the area. We did encourage the applicant to submit a subdivision plat, however, though, and they are in the process of getting a preliminary plat together to submit on the heels of this application once it's annexed.

Strader: So, yeah, I guess I need follow up on that. I mean isn't the danger -- not -- not to -- I'm assuming totally positive intentions on everybody's part, but isn't the danger that we would approve this and, then, potentially, you know, something comes, it's not consistent with the vision of what we have for mixed use or there is something that's different and, then, we don't really have a say in that at that point.

Allen: Mr. Mayor, Council Woman Strader, staff is recommending a development agreement as a provision of this annexation that would include this concept development plan. If a development plan came forth after this that's not consistent with that plan it would come back before you for a modification of that agreement and approval of an updated concept plan, at which we would review that and determine its consistency or not with the Comprehensive Plan and the future land use map.

Strader: Thanks. I think it makes sense. I guess, you know, my concern is -- you know, we see these DA waivers come through and it just feels like there is a little bit of a slippery slope where we end up with something very different than what we thought when we started the process. So, that's just my overall concern, but I bet the applicant could address that. And, then, just my final question I guess from staff's perspective would be -- I was concerned about some of the comments in the ACHD agency report, particularly regarding that they didn't agree with the traffic impact study. Would it be typical that -- that a different study would be done or from staff's perspective how -- how would that be handled if there was a difference of opinion about the traffic impact study?

Allen: Mr. Mayor, Council Woman Strader, I -- I'm unsure how ACHD handles that, to be honest with you. I know sometimes they ask for additional information with the TIS, but beyond that I'm not sure.

Strader: Perhaps if they are available at some point they could answer that question. Thank you.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, Council Member Strader, if it helps to add a little bit more to what Sonya said, a DA with a concept plan like this that has a higher level of detail is a lot easier for enforcement to deal with for staff in the future if they want to bring in something that is substantially different. The ones that we have done a while ago and happened recently is sometimes referred to as bubble plans are a little more problematic, because they just identified large blocks of property into commercial, general, office, residential and so it doesn't really tell us what it's supposed to be or look like. But this type of development with this application is a lot easier to put into a DA.

Strader: Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. I think Council Woman Strader and I are thinking right along the same lines, because I had written down very similar questions. So, if I'm understanding the percentages correctly, Sonya, with what you shared is what is expected in that mixed

use commercial area and what the percentages are that we have here on the application they are fairly different. Does the percentage -- are the percentages that -- that we have showing ideal percentages we are showing for mixed use commercial, it's the same in the Ten Mile Interchange Area as they are in other parts of the city or is it different, especially -- I know that -- that when the Ten Mile Interchange Plan came to be there was -- it's definitely intended to be an employment area with an additional amount of multi-family, maybe more than we see in other parts of the city. However, based on the numbers you just shared, there is a significant amount of multi-family in this area and so I really want to get an understanding of whether adding this much more multi-family is beneficial to this location or not. It just seems like it would really tip the scales within the Ten Mile Interchange Plan area which moves I think from all the way to Black Cat and, then, east over to maybe the mid mile, something like that. So, any of that information that you have that might help us with that analysis would be great.

Allen: Mr. Mayor, Council Woman Perreault, Council, those numbers are future mixed use assumptions and, yes, you are right, I think more residential is important in the -- in the mixed use designated areas and especially the Ten Mile Plan for the -- to support the employment and commercial uses. To answer your question more than that it's really out of my realm. I'm not sure if Caleb or Brian is on the line tonight that could better speak to that --

Simison: And, unfortunately, we also don't have ACHD on the line, to the best of my knowledge. Council, further questions for staff? Okay. Ask the applicant to, please, come forward.

Schrief: Good evening, Mayor, Council Members. My name is Wendy Schrief. I'm a planner with JUB Engineers and my business address is 2760 West Excursion Lane here in Meridian. 83642. And we have got a team that is going to be presenting tonight. I'm just going to kind of work on a little bit of the front end here. If I can get my PowerPoint up. It's up. And I want to look at my -- do you move the slides or can I move it? Let's see. Okay. I want to talk a little bit about why this project makes sense in this location. We are at the southwest corner of Franklin and Ten Mile and as you alluded to we are located -- we are inside the area for the Ten Mile Specific Area Plan. We have several different future land use designations and I think when you were talking about the percentages I think we need to look at kind of how those are weighed and what those acreages are. Mixed use -- we have a 40 acre site where we are looking at -- we have 22 acres of mixed use commercial for a designation. We have an additional 11 acres of high density residential and three acres of mixed use residential. Because I think when you look at those percentages we need to look at also kind of how that breaks out between those three different designations and, then, this is also -- this is -- this document is a guide for development in the area. I think -- and that in this area overall we have seen more commercial development than we have seen residential development. So, I think we are kind of helping to bring that into balance with -- with this project and I want to kind of reiterate the purpose statement of the -- this area for mixed use commercial is to encourage a mix of office, retail, employment and multi-family and single family attached. So, I think the project we are presenting to you tonight we have -- we have really done a

lot I think to address those goals. We worked -- staff has been great. We have done probably three or four pre-application meetings with Sonya and Bill to really tighten up our plan. We have been directed quite a bit by staff on our mix of uses and how we are proposing this project that we have here this evening and I wanted to address -- you had a couple questions about the TIS and how we deal with development agreements and I can tell you the majority of the larger projects I'm working on in the Treasure Valley we are the front end doing annexation and zoning and doing the preliminary plat later on. That gives you a concept plan and in this case with Meridian a very detailed concept plan and part of this is part of -- it's a practical reason, especially during COVID, it's at least a six month process to have a TIS approved and finished up through ACHD. So, this allows you to get a project started and kind of get it moving while concurrently you are working on your TIS. So, it enables you to get a project going and saves three to four months in your project schedule. So, it's -- if it was faster to do TIS's probably that order would be a little bit different. In -- in Canyon county we do it differently. If it was a development agreement I can tell you absolutely Meridian staff does a really good job of holding your feet to the fire. When you have a concept plan -- Sonya goes through it and when you come in with a preliminary plat she's absolutely going through and looking at your open space requirements and your project breakdown and she is not shy about having you go back and make changes to make sure you are in compliance and if there is something that has changed, then, you have to come back and do a modification of your development agreement and I think you see that more often in commercial areas where you have a different tenant with a different need who comes in, that's more often where you see that happen. But I wanted to introduce the rest of our team here this evening. We have Layne Borgess, who is our architect, and, then, we have Hethe Clark, who is a land use attorney. He has also worked on the project. I'm going to introduce Layne.

Borgess: Good evening, Mr. Mayor, Members of the Council. Thank you for the opportunity to be here tonight and present to you the design concept for The 10 Meridian. My name is Layne Borgess. I'm representing Elk Ventures who are the project proponents. My address is 11500 Armor Court in Gold River, California. We are very excited about this project and we hope the Council will be also as we feel that the project represents the true intent of the Comprehensive Plan and the specific plan for this area. Staff has already given you a brief overview. I would like just to walk you through a little bit of the components of the design and a little bit of our goals and how we executed the project. Try not to take up too much time, because I know we have a little bit of a limit. As staff had indicated our project consists of mixed use commercial element. Depicted on the screen now you will see the commercial component, which is a combination mixture about 150,000 square feet of one and two story office, commercial, and retail, as well as restaurant uses. The second component is our vertically integrated residential mixed use buildings. We have our -- are proposing four different types of residential components and this is one of them. These will be three story buildings with commercial space at the ground level of these three buildings and, then, two floors above of residential units. This area depicts our medium density residential type one. These are three story buildings, internally loaded, meaning the units are accessed from the inside, as well as the outside at ground level. They do have parking also at ground level. Three stories. One and two bedroom units. The third type of residential component we have is the

townhomes and these are three story individual townhomes attached in groups of eight. So, each unit consists of three floors with garages also. The fourth component is the portion of our site that will be zoned for high density residential and these are our four story buildings also internally loaded and this represents the majority -- about 68 percent of the total residential units proposed are located in this area, which is south of the canal. And the last element is what we kind of look at as being as our kind of the heart of the community and this is our recreation center and our co-work facilities and within this area we have significant amount of indoor and exterior site amenities, such as swimming pools. We actually have a couple of pickleball courts. So, take the strain a little bit off the existing ones. Fitness centers. Community kitchens. Internet cafe. Conference rooms. Work areas for people that are now concentrating their work efforts away from an office environment. So, if they want to work from home, but not be in their apartment the entire time we have a significant portion of the second floor of this building that will be designated for co-work areas, private offices, meeting rooms and such. So, I want to talk just a little bit about the goals and the execution of the project. What we were trying to achieve with this was a cohesive dynamic mixed use project with multiple housing types, with compatible commercial that is suitable to be used by the residents of the project, as well as by the community and an emphasis on integrating the pedestrian and bicycle circulation throughout and providing extensive on-site services and recreational opportunities and I will explain a little bit more about those as we go. So, how did we get there, how do we achieve that. We really looked to the Comprehensive Plan and to the specific plan as to ways to achieve it. One way was using basically the idea of developing this mixed use community that's livable, vibrant, and connected, using a lot of open space and pathways that I will show in a moment. By using building design and character that identify the project as unique. By providing circulation that's cohesive for automobiles, bicycles, and pedestrians and making it friendly and easily to move throughout the entire site for all elements. From the Ten Mile Specific Plan we focused a lot with staff's assistance on the concept of street design and complete streets and how the buildings relate to the streets and how the streets relate to circulation. We looked at the concept of street oriented design and streets as public spaces, enhanced landscaping, mixed housing stock opportunities and, then, of course, ultimately, the building design and architecture. So, this next slide illustrates the primary concept of how we are integrating the concept of complete streets into the project and those red lines indicate our major circulation elements through the site and you will see on some of the following slides how the execution of that occurs. Am I the only one that lost my slide? Because I don't see anything on my screen anymore. Anyway can I get that back?

Hoaglund: Are we on the vehicular and bicycle circulation slide still or are we moving to another one?

Borgess: I was moving to one that illustrated pedestrian circulation. Do you see them on your screen that shows a series of yellow lines? Oh. Okay. Okay.

Simison: Why don't we go ahead and take a ten minute break, if that's okay.

(Recess: 7:50 p.m. to 8:02 p.m.)

Simison: All right. We will go ahead and come out of recess and we will re-recognize the applicant. Did you want to reset the timer to six and a half minutes.

Weatherly: Yes, Mr. Mayor, I will.

Simison: Okay. You have six and a half minutes left.

Borgess: Okay. Thank you, Mr. Mayor, Members of the Council. I will try and move through quickly, so we can get the rest of our presentation. The slide that you see shows our major circulation that I will explain in a little -- in a moment for vehicles. This slide shows the circulation for pedestrians through the site. Again, achieving our goal of connectivity of the residential and commercial components. These next three depictions show our vision of what our street system within the project will look like. This is patterned after the concepts in the specific plan for complete streets that include vehicular circulation, bicycle paths within our project, parallel parking, street trees, closely spaced landscaping and, then, buildings along the street edges. These depictions show circulation through the major elements of the project. And, then, I want to give you an example of some of the character and design of the residential components. This being our high density component. Again, four story buildings of one and two bedroom apartments, utilizing variation and variety in materials, stone, plaster, wood, wood timbers, steel beams, a lot of variation in articulation in the architecture. Next element we will look at is our medium density flats. We have five buildings proposed. Three stories. And you can see, again, how they are designed with placement of the buildings up near the streets, parking, access from the rear, parallel parking, bicycle paths in front of all the buildings, closely spaced street -- street trees to create the semi-urban environment that we are trying to achieve and, then, the exteriors. Again, a lot of articulation and variation in roof forms and in building materials and, then, the townhome -- townhome design concepts. Again, the same idea. Straightforward design. And, then, the last element is our recreation center and co-work facility. All designed with similar materials and architecture, but a little variation in how the palette is utilized. And with that I would like to turn over our presentation to Hethe Clark, who will finish up for us. If you have any questions after I would be happy to try to help.

Clark: Members of the Council, Hethe Clark. 251 East Front Street in Boise. Good to see everyone again. So, I'm just going to wrap up briefly and focus for a moment on a couple of standards. Of course, this is an annexation with an initial zone and I think everyone's going to hit the Comprehensive Plan elements of this. I would just emphasize that it's located -- this project is located on the -- the hard corner of two principal arterials. You know, this is exactly where we want to see high density housing, office, commercial, living together, breathing together and you can see that there has been a lot of effort that's been put into making this an integrated whole. This is an extremely detailed concept plan for this step -- stage in the process and as Bill mentioned, that gives the city a lot of tools from the perspective of knowing what it is that you can expect with this project. Now, we still have a few hoops to jump through as we go through all of this. We obviously still need to submit our preliminary plat application and that preliminary plat application will be coming here in the next little bit and it's going to -- we are going to have to prove up that

all of these dimensional standards and fine grained details have been satisfied. But what we have -- and the reason we went this way was to be able to say, hey, we -- we know generally what is going to be approved here with this detailed concept plan. We know where our accesses are. We know how this is going to function. So, now let's go do all the -- complete all the engineering associated with that preliminary plat. But the city is going to see this in multiple steps moving forward with the pre-plat at CZC, at design review, all of those steps. I wanted to talk about two items -- and I'm going to change my order here a little bit. One item that came up at the last hearing that I just want to mention is that there was some conversation about the inner relationship with our property -- with our neighbor to the south and I know that they are here to talk. We have had a number of conversations with them since the Planning and Zoning Commission hearing. I think we are in a good place in terms of trying to get all of the concerns resolved. But a couple of contextual points for you. Cobalt is the -- the public street that's on the south. It's designated as a -- as a collector both on the ACHD master street map and on the Ten Mile Interchange Specific Area Plan. There are really three hinge points with Cobalt that you have to keep in mind. One is that we need to align Cobalt with the other intersection of Cobalt across the street from Ten Mile. So, that -- that point is set. Then we need to get across the Kennedy Lateral, which means we have got to -- we have got to start moving down, so that we can get perpendicular to the -- to the lateral and try to minimize the width of that crossing for maintenance purposes and, then, the last element of it is that the western boundary -- the western terminus of Cobalt has to be south of our property line and that is driven by the development that was approved to the west of us. So, Cobalt can't -- if it remained on our property it would dead end into a parking lot and so it needs to come south and get -- get around that. So, what we have proposed is we have approximately a third of Cobalt on our property that has the crossing on it. There is a lot more construction that's associated with that. The remainder of Cobalt we have shown stubbing to our neighbor to the south. ACHD has approved that layout as being consistent with the master street map and with the Ten Mile Interchange Specific Area Plan. The Planning and Zoning Commission recommended approval with this layout. We have had conversations with our neighbors and what we are going to be doing moving forward between now and the preliminary -- preliminary plat stage is that we are going to work on a memorandum of agreement that includes a couple of components. One of them is that we are going to offset some of this with a conveyance with some property to offset the portion that's on their side. Generally speaking that's the area in green there on the south side and, then, we are going to cooperate with them in terms of construction costs and construction arrangements for the portion of Cobalt that's on their side. So -- and I know Joanne Butler is here and she will provide some additional detail on that piece as well.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Hethe, could you -- are you in agreement with the dollar figure of what you are going to contribute to the -- to the cost of what you just spoke about with the neighbors?

Clark: Council Member Bernt, we are -- I don't -- we don't have a specific dollar number, but we are very close in terms of proportion and where that number is going to be, because we have had engineering analysis done of what the road costs are -- are at this point. So, we will lock that down with our -- with our neighbor between now and the pre-platting phase. I know my time is wrapped. So, I just want to confirm that, you know, I -- I had written notes that for most of it was my justification as to why we should change condition 1-B. Generally speaking I find that if Sonya and I -- if Sonya and I have enough time we can get on the same wavelength and we did. So, I won't put you through all of that. I just want to say that we are in agreement with the language that staff identified earlier, replacing condition 1-D, that the property would be subdivided prior to issuance of the first certificate of occupancy within the development. So, with that we are happy to answer questions.

Simison: Council, questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Could I fire them all off at once or take it slower?

Simison: Just go for it. You are recognized for the duration of your questions.

Perreault: Thank you very much, Mr. Clark, for your presentation. So, along the lines of Council Woman Strader's concerns I think -- and we have seen this in the past, you know, you -- you have buyers and tenants that you are going to be discussing -- discussing these properties with over the next several years most likely and you may have users that are going to come in and want a different size, shape, location and the concern, of course, then, is in order to accommodate that, whether it's the concept plan is what it is now and it's -- you know, this is approved, not tied to a preliminary plot and we are coming in and making modifications to the DA because of the users, who are requesting different types of properties, sizes, structures, locations and whatnot. So, can you alleviate for us concerns about that, because it -- it's something that we have seen and, then, no longer is the project looking like what was originally intended and oftentimes we have a different Council then that's making that decision from -- from what we had intended and some of that gets lost in translation. So, a significant concern -- concern of mine. It sounds like it's a significant concern of Council Woman Strader's. Would you like me to ask these questions one by one or just --

Clark: Why don't we try one by one and see how it goes.

Perreault: Sounds good.

Clark: So, I understand the concern. You know, I -- I have been in front of this Council before on development agreement modifications. You guys know that I have -- you have put me through the paces on a number of those before, including in the last couple

months. It's definitely -- I definitely feel the love whenever it happens for sure. So, I think I would separate two concepts there, Council Member Perreault. One of them is the -- the preliminary plat and I would point to what Sonya said about that. The preliminary plat is really there to carve up the property, identify the dimensions and for, you know, purposes of future conveyance. What we are really talking about here is the development agreement and the concept plan and what is the possibility of having to come back with a modification in the future. In this case we have got a group that has done extensive market research, is in conversations with a number of commercial users with regard to that exterior ring of commercial in particular and so we feel very comfortable that this is going to develop in the way that we anticipated developing. But I absolutely understand the point of your question and that is why you have the development agreement modification process, so that you were able to look at this or as future Council is able to look at this and decide, hey, does this meet the original intent, do we still like this and there is still an additional public hearing process that we have to jump through. We wouldn't go to this much detail if we didn't feel very comfortable that this is going to play out the way that we anticipate it playing out, because for that exact reason, we have to come back and jump through another public hearing process.

Perreault: So, forgive my assumption, then, that the delay in presenting a preliminary plat was to make modifications to it. That's what I assumed. Otherwise, is -- can you share with us the purpose of it? Is -- is there a concern that it will expire before the two years? Can you go into more detail about that then?

Clark: Council Member Perreault, that process of doing just the DA and the rezone is becoming more and more common and one of the reasons that we decided to do with in this instance is we wanted to get in front of you, see what your comments were on the concept plan, see what your take is on our access points in particular, because you guys have to look at access points on the arterials and we have got a condition of approval that speaks to that and, then, understand where we are at and, then, go finish the engineering on the preliminary plat to make sure it all works. So, that's the thought process for doing the bifurcated steps here.

Perreault: Okay. Thank you. So, I -- I have lived in this area for 12 years. I have driven by this nearly every day for 12 years and have been through and heard and participated in, as a Planning and Zoning Commissioner and as a Council Member conversations regarding the Comprehensive Plan, the Ten Mile Interchange, and have, you know, lots of conversations regarding just the -- just the general idea of what we want to see in this area and I have to say I -- I'm -- I'm kind of underwhelmed with the concept plan and I think I was in my mind's eye hoping for maybe just a little bit more creativity and what I mean by that is so -- and these are conversations that have come out a lot -- a lot from the -- from the eastern side of the development and what we -- the applications we have seen come in there. So, when we have had numerous applications over these years and every single one of them has had conversations about walkability and -- and trees and landscaping; right? So, we have -- we have done this on numerous occasions on the east side of the project and so -- and so this is where I'm hoping you can help me understand exactly what your intention is. When I see the three dimensional drawings

that show pedestrian activity, trees, you know, just -- just a lot of interaction between the residents there and, then, I look at the two dimensional plan, it looks to me like it's almost all parking lot. So, help me understand, because what I see in the 3D renderings and what I see in the two dimensional concept plan looks very different in my mind's eye and the reason that's important is because the conversation we have had for -- for a very long time now is that this area be very much pedestrian plazas, you know, people being outside, living and working in the same place. They are -- they are -- you know, they are living in those apartments, they are working in this and this becomes like their center to be and I don't see that in this. So, if that's your intention, please, help me to see it.

Borgess: It may be a little bit of a struggle with the graphical nature of the site plans and the scale of them, because they are prepared at such a small scale because of the size of the property. Everything to this point, thanks to modern technology, though, we are able to replicate in 3D digitally a hundred percent accurately based on an AutoCAD generated site plan. So, what you are seeing in the artist's illustrations are not an exaggerated width in the street or an exaggerated dimension of the landscape or anything. What you see in those images is what the project -- project will look like, obviously, at landscape maturity. We won't be planting 30 foot trees to start. But the images that you see should accurately depict what the project will look like. Now, the areas that you were mentioning, such as public spaces, plazas, outdoor areas, those are all elements that will be developed and defined in more detail as we work through the subsequent portions of the entitlement phase for the project. Those areas are kind of a challenge to develop at such a small scale at an early stage in the process, but we do have, obviously, an intent to pay significant attention to those, because those outdoor areas are what link all the pedestrian circulation together. I hope that helped clarify.

Perreault: Yes, it did. I just -- I don't know that we actually get an opportunity, however, to be involved in that more detailed level once we get past this point and for this particular project I would like to have more specifics, because this is a critical 40 acres in our city and a critical 40 acres in a plan that was -- that, you know, the city went to great lengths to have a specific sub plan for our Comprehensive Plan for this area and so I think for me this -- this 40 acres is just really really important that we understand what your -- your hope is and how it's really, you know, intended to play out, realizing there is -- not everything is completely in your control as far as what your -- your users will be. So -- so, moving on to another topic, then, I just -- can you -- can you help us understand -- you said you had had a marketing team, you had a consultant that had -- had looked into the amount of residential versus commercial, type of commercial, I assume even down to sizes of buildings and whatnot. This area is just getting so heavy on the multi-family. We have got not only what is happening in the east, to the west, but it's my understanding that in the northeast corner of that -- that intersection there is also going to be some additional high density -- high and medium density. So, can you talk to us about why you would put the ratios in that you put and I am in agreement, I would say, with our Planning and Zoning Commission, I feel like it is too heavy on the residential and if so you can help us understand some more about how you got to this placed, so that we don't come out and say, hey, you really need more commercial in there and your market study is saying, hey, we can't support more commercial in there. I mean anticipation, as we know, about

population growth is significant and the way that -- because this is someone in the southeast side -- or southwest side of Meridian, Meridian -- this is not really in Meridian's focus areas right now and so my anticipation is that protecting and developing commercial in this area for when the residential comes to be -- I realize that you need to have rooftops and, then, you need to have commercial and there is this chicken and egg thing that happens with -- with your users. But I personally -- I think I had heard somebody say that it seems like this is a commercial heavy area and not a residential heavy area and I would completely disagree. It's very heavy high density. So, can you share with us some more information about how you got to these specific residential proposals?

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

Pilegaard: Council Members, Erik Pilegaard. 10981 Olana Drive, Lake Tahoe, California. So, another associate of mine came before you a few years back and we had built The Enclave, which is 204 units, pinwheel design. I could tell you from experience on that project that is complete working with staff that -- that 204 units were a hundred percent occupied. We have been a hundred percent occupied. We have 47 people on a waiting list for two years to get into the complex. You are familiar with the lots across the street recently just sold, one hundred percent occupied, waiting list to get in. They are pre-leased on their new development behind that as well. But that whole area, like Hethe had mentioned, the core, the work, the walk, we have integrated this and had seven renditions with staff on how to integrate the pedestrian, the access to work and a big factor that also came into play was, you know, the pandemic and the COVID. I mean restaurants have changed the game. Any restaurant that's talking to us wants to have a drive-through, regardless if it's a -- you know, fast food or something of that nature. So, there is financial aspects, dentistry, and so that commercial component comes to our area. But we feel we have a great balance and this clubhouse that we have designed for the community that we are building is almost 20,000 square feet and it has pickleball, bocce ball, it has a lot of amenities for families to come and stay there. But to answer your question as far as -- is there a demand? The demand is outrageous. I think the demand is slow on the commercial side and the big shopping center side. We have got the Winco. We have got the Albertson's, we have got a lot of that already there in place and we are what we call on the go-to-work side of the street, if that makes sense, to where everybody's passing our development and are going to work in the morning. So, they are not necessarily going to come to our retail component and shop when they come back home. I don't know if that helps, but all the indications indicate that we have a great balance and our current, you know, experience in Meridian has demonstrated that for us. But I think, you know, it was difficult today to see the integration that you are talking about as far as pedestrian and what we are going to look like. We had to kind of go through the slide presentations very very rapidly. But if we could put those up and really ask those questions, staff -- they, you know, made us go back to the drawing board six or seven times for the pedestrian access and integration. I think that this is going to be a landmark of that and also architectural design that when you look at it it's -- you know, I love to beat the competition. We are bigger, we are better, we are going to look better and it's where everybody's going to want to call home. So, I agree with you a hundred percent on those -- those questions and I think we have answered them. But, again, it's -- you know, Sonya, Bill, the team

over there forced us to get to this point. So, hopefully that helps.

Perreault: Thank you. They know as well. They have to be our mind readers before you get here and so that your time is utilized efficiently. So, thank you for answers to all of those questions. I appreciate it very much and I know that -- I think I have one or two more, but I will -- I will release my time here. Thank you for allowing me to go question by question.

Pilegaard: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I had some follow-ups on those topics. So, for --

Simison: You are recognized for your time.

Strader: Oh, thank you. So, just -- just a couple things. So, maybe -- maybe we will start with the architectural design and, then, you can pivot to more of the big picture that the gentleman was just discussing. So, maybe if we could bring up, actually, the -- I guess the concept plan real quick. One of my concerns is also the parking and the reason that this concern is coming up is that we had an intern do a tremendous amount of work for us on mixed use projects and we have actually found that having adequate parking is extremely important, but that the location of parking is important, too, and I guess I would challenge you guys -- you know, we have seen some projects recently come through that have actually parking on the interior core of the building and, then, like a pedestrian -- more of a streetscape on the outside. It's actually buildings where the parking is within the interior of the building and is that something that you guys looked at or -- or a possibility for you?

Borgess: On a portion of the project we do have that. On the five buildings -- five of our -- I'm not sure if the mouse is working here. Doesn't appear to be. I don't see the cursor. But on our five mixed use buildings that are kind of north of our clubhouse and south of the commercial on Franklin, those buildings have a -- not entirely, but a significant portion of their parking under the building. All of the townhouses also have parking under the building on the first floor of those. So, the elements that don't are our high density buildings, which are kind of all self contained south and west of the canal that has just surface parking for those particular uses.

Strader: Yeah. I mean I guess I'm looking at it in -- and maybe you can help me understand. I'm sort of seeing this road come through. It looks like you have some pedestrian crossings and stuff, but I guess I'm concerned, it looks like the high density residential is really kind of orphaned out there in the corner, instead of being like really integrated with the other uses. It's just my impression just from looking at them.

Borgess: Well -- and part of it has to do with zoning and the land use. So, the location that the high density buildings are in, essentially, where the land use designation and the zoning for R-40 is located. So, it doesn't really allow us to move those across into the mixed use commercial component that's zoned general commercial. So, that's why we have the other land use -- or the other residential types there.

Strader: Yeah. And I probably will have a follow-up question for staff about that. And, then, I guess my other question on some of the topics that Council Woman Perreault brought up, yeah, I'm just looking here -- right. So, understood that there is a tremendous amount of residential demand. We know there is a housing -- housing shortage. That's not news to us. The challenge I think for us is that we are losing commercial as a city and we can't get it back and so every mixed use project that's overweighted into residential we can't get that commercial back and it's a smart idea to have residential in a transportation corridor, we agree with you there, but we also want the jobs to be there. We don't want people commuting across the city. It's just exacerbating our traffic problem. So, I guess -- you know, I'm just looking, but, you know, it looks like 61 percent of your site is mixed use commercial, 30.5 percent is high density residential and around eight and a half percent or so is mixed use residential. I'm going to be generous and assume the residential ones are just residential in terms of what we would target, but if we thought that 20 percent of the mixed use commercial should be residential, you know, I'm coming up with more like 18 acres of the total site that would ideally be residential compared to, you know, a significant amount more than that. So, I just wanted to give that context to you. Those targets aren't hard targets that we have to meet on every application, but this is pretty far from -- from what I think we are -- we are looking for in general is my impression.

Borgess: Are you looking at the site overall or are you looking at each component of the site relative to the high density versus the mixed use portion?

Strader: Yeah. I'm just taking the acreage that you gave me of each of those three components across the entire site and, then, I'm looking at the percentage that was given that's residential within your mixed use commercial zone and comparing that to the 20 percent target that Sonya mentioned, which it sounds like there is some maybe flexibility around that. I wasn't sure how firm that idea was. But it just feels really far off of what we would normally expect.

Borgess: We may need to work with Sonya a little bit on this, but it was our understanding that in the mixed use portion that the target for the residential was no more than 30 percent of the total ground floor area of the -- of the -- total ground floor area 30 percent maximum of that could be residential. So, we are fairly close to that as a target number, according -- based on our calculations and based on our estimations of the commercial space at this time. So, I'm not sure that we are as far off as I may be understanding what you are saying, but we may need to work with Sonya a little bit to refine the numbers and percentages to make sure we are within or close to the thresholds that the specific plan is anticipating.

Strader: Thank you.

Simison: Council, additional questions?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun is recognized.

Hoaglun: I have a question. I don't know who wants to respond. But, Adrienne, if we can go to the one that shows the ingress and egress. I think it had A, B, C, D.

Borgess: I think that was one of staff's slides.

Hoaglun: Is that one of yours, Sonya? So, if we could pull that up. It just makes it easier referring to which intersect -- which one we are talking about. I just want to make sure I understand the right-in, right-outs. There was one -- I think it was on Cobalt that was going to be right-in, right-out and left only --

Borgess: Left in.

Hoaglun: Yeah. Left -- left-in only. So, if we don't have that one real quick, Sonya, we can just do the concept one and just refer to it by -- by direction, if that's -- if that's -- got the one minute sign. I don't know if -- Layne, if you will be answering that or if it's going to be Hethe, but just -- so if -- if a person wants to go north on Ten Mile, they are going to have to make sure they exit out to Franklin Road, turn right, get across and get in the left-hand turn lanes. So, that's -- that's the plan there, which is -- most likely that would be A. So, there is a -- that's -- intersection A is a full access, left, right -- both ways. Okay? B was right-in, right-out only?

Borgess: Correct.

Hoaglun: Okay. So, A will allow that North Ten Mile Road access. C was right-in, right-out only.

Borgess: No. C was right-out only.

Hoaglun: Right -- right-out. Correct. Yeah. That's right. Right-in, right-out. And what was -- what was B?

Borgess: B was right-in, right-out. C was right-out. There is no in access on C.

Hoaglun: Okay.

Borgess: D is right-in, right-out.

Hoaglun: And intersection two, Cobalt, that was left-in -- right -- right-in, right-out and left-

in.

Borgess: Yeah. And that's from our driveway on Cobalt, which for whatever reason didn't have a letter designation to it.

Hoaglund: And so, Mr. Mayor, I guess you're giving me liberties as well. Okay. Thank you. The -- so, there is no light there at Cobalt?

Borgess: That's correct. And I believe the staff or someone may have pointed out that there were attempts previously under a previous application for a signalization of that intersection and ACHD opposed that strenuously, because I believe of the distance separation between the signal at Vanguard.

Hoaglund: Okay. I understand. And those -- sometimes those -- some you win and some you don't on those, so -- so be it. Okay. That -- that gives me a better understanding of those and that -- that north access -- I mean it's just something that people are going to have to get used to if they are going to want to travel north on Ten Mile to make sure they are going out that A entrance. The access point on Cobalt, where we have the high density -- so, if you come down that intersection two and you are heading west on Cobalt, is their plans -- and that's the future portion that you are planning -- in fact, right where it says Cobalt Drive, just to the south of the high density housing, is -- is that going to be an access point in the future for those apartments off of Cobalt or is that just -- everything else is going to be through A, B, C, D?

Borgess: Well, right now all of the accesses were determined or calculated in transportation analysis based on A, B, C, D and E and we did not at that point for traffic study purposes anticipate any access further down Cobalt. Would it be possible, once Cobalt extension was actually completed? I suppose, you know, from a physical standpoint it's directly there. It could be done. But in our existing proposal -- and this may come up a little bit more when we talk a little bit with our neighbors to the south -- is that the portion of Cobalt along the southern property outside of ours wouldn't be built initially, so that there wouldn't be any access that would be available to us until that extension was done.

Hoaglund: And, Mr. Mayor, just to continue on. Yeah. And -- and I don't know if that's good or bad or necessarily bad, it's just -- I was curious about that, because four stories, the number of units, that -- that's a lot of traffic and having, you know, some choke points there at particular times might -- might occur when you have high density and I thought Councilman Strader raised an interesting point about, you know, it seems like a lot of parking lot, but, then, the number of units for those high density -- what was it? Three hundred and eighty.

Borgess: So, yeah, roughly I think that's about 70 -- 68, 70 percent of the total proposed residential is in the high density component.

Hoaglund: I was just thinking from a car perspective, if you are at four -- that's 800 cars,

so -- I mean you are going to need a lot of ground for parking. If you have that many residences and if you think one to two, two to three, depending on, you know, the sizes of the units, how many vehicles, and, you know, we live in America and we like our cars, so it's -- it's just going to take up a lot of ground for -- for a parking lot.

Borgess: We tried to oriented the parking areas between buildings, create areas that were flexible, so that people parking in them could conveniently go to a building on either side. So, that's why you see kind of what appears to be larger parking areas, because those serve multiple buildings.

Hoaglun: Good. And, then, Sonya, since I guess you are -- you are driving the -- if we can just go to the concept plan. It's a little clearer there. Thank you. I want to talk about the Kennedy Lateral. Personally I like water being open and having access, but tell me a little bit more about the plan for that and it appears you have a walking path, but what -- what -- what is that going to look like? What's your -- your concept plan that you have for -- for that particular stretch?

Borgess: Well, I think concept plan is an accurate description of it. We, obviously, have shown what our intention is and that is to utilize a portion of the canal as an amenity -- as a site amenity for us. So, we have sections that will be covered or enclosed where we have crossings and in some places we have widened those, so we have open green spaces. We anticipate the balance of it will have a walking path and although our particular parcel is not identified on the master trail plan of having a requirement for a path along the canal, we are proposing one that connects Franklin down to Cobalt and out to Ten Mile. So, the -- the canal itself will, obviously, have to be fenced for safety and security reasons with an open decorative -- we are not sure whether it is ornamental iron, is it some other type of design and, then, obviously, have a variety of plantings along it, so it's more than just a strap -- you know, a stretch of grass with a piece of concrete down there. But we will probably have seating areas. Little -- little areas off the side of the path that people could sit and, you know, work with their iPad, contemplate life, or those kinds of things, as we move through the site. But, again, as I mentioned earlier, that level of detail at this scale of a plan we really haven't developed, other than the concept behind trying to make that a site amenity and an enhancement or something for -- that's not only the residents, but in this case the community at large, because that won't be secured or fenced, so it is available for the public to walk through that area.

Hoaglun: Yeah. You talked about commercial being impacted by COVID-19 and, you know, the changes that that has wrought and I think the same thing is true for where people live and the open space and amenities that are available, especially for your high density homes, having that ability to be outside and maybe away from a spouse you work 24/7 with, you know, because you are both working remotely and doing some things like that. I just think that's more important in this day and I like -- I like seeing that -- that -- that concept for that.

Borgess: Well, yeah, and we really took that to heart, too, as we worked through our design. I think I mentioned earlier that in our recreation center we actually call it now a

co-work space. We devoted probably about half of the second floor of that building to co-working spaces, because we recognize the dynamics of working from home are evolving. You know, a lot of people been doing it for three months, six months, 15 months and, as you said, some people they start to feel shut in. As opposed to being in a 5,000 square foot office you are now in your 180 square foot bedroom, it's nice to have an alternative to be able to walk from your apartment over to the community building, go upstairs in a nice space that has all of the amenities, printers, networks, Wi-Fi and be able to have a private space or to work in a co-work space. There are open corrals or those kinds of things. So, we have -- we have committed a significant investment in doing that to create that type of opportunity for the community.

Hoaglund: Okay. And my last question -- I noticed you have a concept for garages there for the high density and I'm assuming -- and staff can correct me on that -- that that -- those garages count towards the required parking spaces that are -- go into for that. My only thought is -- is sometimes garages are used for storage, as opposed to vehicles and so just something to take into account. You know, they are moving and they need a place to store that furniture that they didn't get out of the U-Haul yet and --

Borgess: Understand. And I believe -- and, unfortunately, I don't have the statistic right in front of me, but I do believe that we have the high density area overparked, kind of anticipating that exactly what you are saying is going to happen. We may have a percentage of those that aren't actually used for parking. So, we haven't cut it to the bone and done just the minimum, but actually provided some excess.

Hoaglund: Great. Well, I appreciate the time you have taken to -- to focus on this and working with staff and making some changes and coming up with things. There -- there is a lot to like about this -- this concept plan, so -- thank you.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I very much like this concept plan. I think it's definitely different -- and I don't need to elaborate, I think you have heard a lot of talk from us tonight, so I'm not going to elaborate, but the only -- the only thing that I'm looking for is maybe, you know, a little bit more commercial. Whether that's a live-work component, whether that's more commercial and the mixed use commercial aspect of it -- for me I'm needing -- I'm needing that. I'm just needing a little bit more commercial. Every time, as a Council, especially myself, when I -- when I try to design something on the dais it always turns into a huge cluster. All right? And inevitably one asks -- so, Treg, what -- what are you looking for exactly? Well, that's when it gets ugly. And so you are not going to get that from me tonight, because you guys are the professionals, you guys know exactly -- you look at the data, you know what's going to sell, what you need, but that's what I'm looking for. I -- I think that we are almost there. I just need just a little bit more -- more of that.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I know we haven't taken any public testimony yet. I was going to kind of keep comments --

Bernt: That's true. That's totally true.

Cavener: -- keeping with the theme. I guess a comment and a question. I agree a lot with what I have -- I have heard from my colleagues tonight. A specific question on this concept plan and -- and we are seeing a little bit more of this and it catches me a little off guard. I don't think there is anything intended. But what I see more and more is the higher density housing is being pulled further and further away from the open space and I really think that's an equity issue. I think the more you stack people in the more open space you should bring closer to them and what I see here is those big high densities are really far away from real usable open space, where the flats, again, less dense, are much closer. So, I'm hoping you can kind of talk me through the why behind that and kind of what the rationale was behind -- and, again, I don't think it was intentional, but I'm just trying to understand the -- the -- the model behind that.

Borgess: Well, I mean it's clear and it's obvious when you look at the concept plan that the majority of the open space is centered around the physical center of the site and along the canal. So, it runs diagonally in an east-west direction and it's toward the center. When you look at how we located the -- at least two out of the three high density buildings, with the exception of the parking that we need to provide, they are almost as physically close as we can get them without pushing them directly up against the easements, which, then, makes the space -- I will call it in the middle of the L, basically you can't access it and you can't utilize it and so it makes it a physical challenge to accommodate the -- anything close to R-40 when you do something like that. So, we have tried to locate the majority of the high density buildings in a reasonably close proximity to all the open space. Yeah, we do have one building, the one in the southwest corner, that is somewhat removed from the open space. From a distance standpoint those two high density buildings -- I can't see their numbers -- are probably as close to the open space as three of the medium density buildings and at least two of the townhouse buildings and probably all of the mixed use residential commercial buildings.

Cavener: So, Mr. Mayor, follow up if I may. Adrienne, sorry, I didn't mean to cut you, but is -- is the podium screen, is it interactive? If they touch it will the screen advance slides?

Weatherly: Mr. Mayor, Luke, if you use the keys on the keyboard it should advance and --

Cavener: Adrienne, sorry, I don't want him to have to advance, I guess I just am asking maybe if the Council and the applicant to kind of humor me with -- with an exercise, which is take your hand and cover -- cover the high density and -- and look at your -- your site plan. Man, that looks really thoughtful. Really creative. I get really excited about that. Now, what I would like you to do is take your hand, cover the commercial, cover the flats,

and look at the high density. And let me ask you if that's something that we are really excited and proud about, because I'm not -- I'm not quite there on that piece.

Borgess: Well, part of that is the nature of -- okay. So, when I cover the high density and I expose the rest of it, then, the open space is, basically, surrounded on two sides. I mean it's a triangular shaped parcel, each of those, by the nature of the canal going through. When I do the opposite I, then, only exposed one side of the open space to the high density housing. So, from a standpoint of looking at it from which is closer, by that illustration, yes, it does appear that way. But, again, the recreational element and the open space is maybe not exactly, but pretty close to the center of the parcel.

Cavener: But what I -- and you had a slide I think that -- I was trying to write down the numbers -- of how many people were living in each one and, again, I saw it fast, but my -- my belief is that the vast majority of the residents are going to live in the high density piece.

Borgess: Oh, sure. Just by virtue of the number of units.

Cavener: So, again -- and I think that's -- that's where some of my challenges are, is that where you are housing the greatest amount of people is the furthest distance from the open space and the amenities and I just -- I think that that's an opportunity to -- to improve this application to better serve the residents that are going to live there. That's just -- just my overall opinion. I think there is a lot to really enjoy and I really like about this project, but that's a piece that I -- I'm just very sensitive to.

Clark: Council Member Cavener, if I could maybe throw a couple pieces onto this. So, one thing that I think we have to keep in mind is the two different comp plan designations that split this property along the Kennedy Lateral. So, the high density residential is everything south and west of the Kennedy Lateral. Mixed use is everything north and east of it. We have more opportunities with the mixed use commercial actually to be creative with that. But one thing to keep in mind is that when you look at the Ten Mile Interchange Specific Area Plan, which we have got to get a good acronym for, is it calls for these public gathering spaces to be centrally located within the development, which is exactly what we have done here and pulled it as far to the -- as close to the high density residential as -- as we could and be able to take advantage of that Kennedy Lateral as an amenity. So, you know, I think what we have done here is -- your -- your point is very well taken. But what we have done is try to create a centrally located open space event area that is available to everyone through the project.

Cavener: And, Mr. Mayor, if I may. Again, I don't -- I'm not trying to assume any ill intentions. I think that you -- you are achieving what you set out to do. I just think unintendedly you have -- you have created a large separation for where the largest amount of people are going to live and I think that as much thought as has been put into this and many of the charrettes that you share show an active community where people are going to want to live. I don't take it away that that's what you are hoping to intend. I said just from my perspective looking where your high density is you are not meeting what

I think you are intending to do with your entire project.

Clark: And I think I would agree with you more, Council Member Cavener, if that open space was located more in the northeast quadrant. I mean if you look at it from the overall scheme of things here, it's -- it's actually southwest of the center of the project, up against the Kennedy Lateral and if you look along here, we do have a number of pedestrian pathways that connect that in and make the whole thing interconnected. But we are dealing with two different comp plan designations and so that -- the high density residential really does need to go right there.

Strader: Mr. Mayor?

Simison: Just to follow up on that one -- I mean on one hand you are saying they are different. On the other hand you are saying it's integrated. You don't get to have it both ways. So, if you -- if you -- if you look at it from a standpoint of, you know, the one might have zero open space in the high density residential portion. So, at least to me you don't get it to -- you don't get to use both arguments in order to make it seem like it's meeting the intentions of the overall plan. That's -- and I'm with Councilman Cavener, that, you know, even having the lateral day lit to a certain extent creates a natural separation that, yeah, you can create bridges, but it doesn't -- it may be a nice amenity, but doesn't even feel -- it makes it seem more separated. You know, it really does seem like the other -- you know, I live in the other side of the tracks, south side, you know --

Cavener: Whoa. Whoa. Sorry, Mr. Mayor, moment of privilege.

Simison: I know. We both live there.

Cavener: I will not let you disparage the --

Simison: I'm not disparaging. I --

Cavener: -- those who live in south Meridian, the other side of the tracks.

Simison: -- love it, but it is the -- there is that natural barrier divide, despite having Locust Grove and, hopefully, Linder Road overpass, it's still a physical barrier no matter how you want cross it, you know, from a practical standpoint, so --

Perreault: Mr. Mayor?

Simison: Council Woman Strader.

Clark: If I could -- I -- I'm not trying to have it both ways here, I'm trying to explain that there is a context that there is two different comp plan designations that are split by a natural barrier and that we have tried to be mindful of that natural barrier and those two Comprehensive Plan designations in the way that we have sited the open space, you know, and we have been creative with that, because when you look at the Ten Mile

Interchange Specific Area Plan it does speak to these centrally located plaza areas and that's exactly what we have done.

Simison: Well, then, to follow up on that question, again, if -- if you take the lateral as the bifurcation of this project, do you have ten percent of your -- ten percent open space in the southern portion of this project?

Clark: Mr. Mayor, I don't think it's calculated that way with -- with respect and the -- we -- it is one integrated whole.

Simison: Correct. But you keep -- I understand it, but it's also you don't get to say, well, it's -- it's -- that's why it's really down there. That's what -- that's meant to be there.

Clark: Okay. I get it.

Simison: That may be what's meant to be there, but you don't have any open space there if you use the laterals, but one percent near that space if you -- if you want to use the comp plan designations differently there is really nothing in that southern portion, if we are going to apply these differences and not with the -- at its whole. Even though I recognize that's where they need to be based upon the comp plan area.

Clark: But that's -- that's my only point I'm making, Mr. Mayor.

Simison: Okay. Council Woman Strader, sorry.

Strader: Oh, that's okay. I mean the good news is you are getting a lot of rich feedback, so you will be able to use that at a future time I'm sure. My question for Sonya. We have a Comprehensive Plan with two different designations. I guess I'm a little surprised, because I have seen people in the past try to float designations and I would think with something like this we will be able to look at it more holistically if we feel like the appropriate amount of different uses is served by the whole project. So, I don't know if Sonya can kind of comment on what flexibility there may be here.

Allen: Mr. Mayor, Council Woman Strader, Council, you are absolutely correct. The Comprehensive Plan is a guide. It's not necessarily written in stone. Some of the designations can float a little bit if deemed appropriate. The applicant is -- is proposing development in the high density residential designated area consistent with the plan. There are a mix of multi-family and vertically integrated mixed use residential, combined with office and commercial uses consistent with the plan in the northeast portion as well. We look at the multi-family development overall so far as open space and site amenities. You know, the comp plan does state in mixed use commercial areas that no more than -- I think Layne mentioned this earlier -- no more than 30 percent of the ground level development should be used for residences. I'm not sure exactly -- I know they are right in there. I'm not sure exactly where they are at on the ground level and they might be able to address that closer.

Strader: Thank you, Sonya. That answered my questions.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Here I thought I was going to be the hardest one on you this evening. So, a couple of questions. Was there consideration made of live-work units? I know there is some other -- there is some other developments in Meridian that are incorporating these. But in a smaller way maybe there is -- maybe there is eight or ten in a project of this size where you have, you know, a small shop in the bottom where you might have a chiropractor's office or nail salon, individual users, and, then, they have residents above. It seems to me like that's been -- I know that there was consideration made of putting that in the Orchard Park development at Linder and Chinden. I know that the Pine 43 development's putting them in. Was there any consideration made? It seems like this would be a really great location for that and I don't know what the -- I don't know how well those have leased in those two. Orchard Park isn't far enough along yet, but that was part of their concept plan was to have those. I like that, because I think it not only brings in some -- an additional variety of uses that are -- that are smaller uses that are more neighborhood uses than these larger commercial properties do and it also goes along with what our, you know, Comprehensive Plan elements, which is -- which is the live and work piece. So, I was really hoping to see something like that when it was talking about sort of the creativity element of it, it was not only do we have places, as you mentioned to come and sit and think and sit there with your dog and, you know, that kind of -- kind of plaza feel, but also this integration of the live and work where -- you know, kind of more of a metropolitan idea where you have residences above and retail -- or shops below or some -- you know, some sort of use below. I would like to see that. I'm curious if you have -- had looked into that, if you are -- if your consulting team had looked into that. That's the first question. Second question is is as Council Member Hoaglun pointed out, you have one area -- so -- so, essentially, you cannot turn left anywhere on Ten Mile Road in any of those exits. So, if you are down here in the grocery store area and you need to get back up to Ten Mile, take me through where you are going and how many residents you are hoping not to hit on the way there. No, I'm kidding. But, please, take me through -- I mean that seems like that grocery store is an anchor and now you -- the assumption for -- for me the assumption is if you are going to the grocery store you are probably not headed south on Ten Mile, you are probably headed back north on Ten Mile, assuming that you don't live in this area -- I mean in this -- in this 40 acres. So, how do I now navigate -- you know, I need to stop at the groceries -- grocery store for five items, how do I now navigate out all the way to Exit A and get back out to Ten Mile Road? We see some of this challenge with the intersection at Chinden and Linder where the -- the Fred Meyer development is and especially in that northwest -- I mean it's almost impossible. There is no way to turn left anywhere and I think it most likely affects those businesses for sure, although I -- I know you guys will do an assessment of that. But help me understand that, why you would put an anchor store down in an area where getting north would be harder to do.

Borgess: Well, to access Ten Mile north from the grocery store we call that area pod five down there. You have two options. One of them is to travel north on -- which I think would have been Access B, if you remember where Access B was, all the way -- that intersection does allow right-in and right-out. It is approximately 450 feet from the intersection. As an alternative to that you could make a left up at -- I will call it Roadway C that was on -- that runs east-west down to Access A and, then, exit the site there at Access A. Does that make sense?

Perreault: No, I don't have the -- is C the -- the northern one that --

Borgess: Yes. C would be the northern most access on Ten Mile.

Perreault: So, run me through that again. You would --

Borgess: Okay. Yeah. This is perfect. Okay. So, from the location that the grocery store is currently proposed, you can either travel up -- I will call it Road D and exit there or you can travel up to Road C, make a left turn onto Road A and, then, exit from that location.

Perreault: Okay.

Borgess: And, then, to answer your first question, before I forget that you placed it, was having to do with the mixed use buildings.

Perreault: Uh-huh.

Borgess: We did do some consideration into the type of vertically mixed use buildings that we could do on this site and what we, obviously, were focusing on is what type -- what type do we have the greatest chance being successful with and being successful means that we find ground floor tenants. We are less concerned with -- with finding the upper floor tenants for the residences, because of the nature of the demand right now and based on our research we felt that the majority of success we have seen with the real live-work where you work downstairs and have an apartment sometimes even attached to it to where you just go upstairs from your shop, are units that in most cases are sold and not rented. So, then, we have a different dynamic of a different type of building, rather than a building that we can lease spaces out and we just felt that our chances of being successful with having something that we could actually achieve the plan that we have proposed would more easily be done with a flexible ground floor that could be service commercial, you know, could it be a dentist, could it be an eyeglass shop, could it be a State Farm Insurance agent or a nail salon -- would be easier to get those kind of tenants, because what we are trying to focus on is -- and I think I said this earlier -- was a type of commercial use that are -- can be supported by this residential community that we are creating. You will notice the grocery store that was proposed is -- I think is 18,000, probably be somewhere between 16 and 18 thousand feet. This isn't a great big 35, 50, 60 thousand foot grocery store where you are going to do three weeks worth of shopping. This is a store that can support the people here that don't want to get in their car and drive down the street to Albertson's or the nearest large market. They need to go to a drugstore,

pick up sundries and various things. They can walk to it within the community and we see that same type of service-related tenants moving into a vertically integrated mixed use more quickly than somebody that says, well, I have got to buy it and given what we are still experiencing with COVID fallout, there is not as much ability to buy, there is a little more apprehension, so that's why we made the decision to use that type.

Perreault: So, this entire development will be managed by one entity?

Borgess: I believe --

Perreault: Individual commercial buildings won't be sold to users?

Borgess: I don't believe that's the intent. The intent is to basically build to suit and I believe Erik and his partner Mark are planning to maintain ownership and operation of all the properties.

Perreault: One more question. When you have a development like this that is in a different area of the city, not near an interstate interchange, I think it will look different, but because this is near the interchange it seems a little light on the sizes or the uses to -- I guess -- I guess I expect or anticipate -- and maybe this is my limited thinking based on just how our whole value is developed -- is that near -- near the interchange you are -- you are going to have just a significant amount of folks coming and going in, so, therefore, your uses would be a little bit less of a neighborhood feel, although I know we have limited -- we had really specific regulations in this area, because we have got the Comp Plan and, then, we have got the Ten Mile Interchange Plan and so we are really trying to specify and narrow down what it is that you are attempting to do. I realized that that -- there is a lot of restriction in that. But just help me understand how you took into account the interchange as you designed this. Obviously, on the east side those are a lot larger buildings, you kind of have that business piece of it, but I just -- I kind of expected -- would expect to see something like this, not near an interchange. So, help me understand how you took that into account as far as number of cars coming and going. Users. This just seems like it's intended to be its own island and we could put it anywhere in the city and not take advantage of the fact that we are near an interchange.

Borgess: Maybe if I get a little clarification. Are you asking specifically about like the sizes of the buildings or -- maybe you can help me understand the question better. I'm sorry.

Perreault: Absolutely. Great question. So, my assumption is is that you -- that because of its -- of this location you will potentially have a lot of people stopping in this area that don't live in -- in this -- in these residences because you are on an interchange. I mean I live off a Ten Mile. That it is an insanely busy street. You are likely going to have people they are going to want to stop in here -- a lot of people wanting to stop here that don't live there and so while you -- the intention is to create this island, you know, development that's focused towards the residents, by the nature of the location of being off an interchange you are going to have a lot of people stopping there that don't live there and

so I think -- you know, I mean I -- I love the fact that we are talking about the pedestrians and the use and that is the intention of the Ten Mile interchange to some extent and we need to consider that. On the other hand, we also have to consider that there is going to be a lot of people stopping here that don't live here, because there isn't a grocery store on the other side -- on the east side. There isn't a grocery store within several miles. There -- there isn't a nail salon -- you know, that -- that -- I know that eastern side still has some development to do and some -- and some buildings to fill up, but in this whole area and -- and how it's playing out and what the plan -- the residential -- the anticipated residential and whatnot, this is going to be the only location that potentially has some of these uses and -- and this is not a -- these sizes are not significant enough to support the amount of traffic that's going to come in off that interchange and potentially attempt to use these services. So -- does that make sense?

Borgess: Yeah. I mean I think I can understand what you are suggesting. I mean the project proponents probably would be thrilled to find out that they have a -- you know, supersized demand for everything right off the bat. I think -- I guess when we looked at it from a master planning standpoint and looked at the specific plan, we found it difficult to maybe marry up the concepts in the specific plan with larger footprint, larger box, either whether it's retail or office buildings, if you, you know, referred back to the illustrations or the renderings that we did of the street atmosphere that we are trying to create and if you look at the way each of the pods are designed -- for example, if you look at the pod between Driveways A and B, you know, it essentially follows the concepts in this specific plan where we kind of wrap the pod with the buildings and we put all the parking on the inside. So, from a visual standpoint these large parking fields don't become the predominant thing you see. As the buildings get bigger and larger, then, obviously, the parking demands get bigger and larger and you end up with large parking fields and it becomes more difficult to achieve this. In addition, you know, all of our street networks -- I keep calling them streets, but they -- they aren't city streets. They are not public, they are all private, although our proposal is to develop them in accordance with, essentially, almost identically the public street standards that are developed in this specific plan. So, these are all things we have done to try to improve and enhance circulation by using public designed infrastructure in a private manner inside, but still create the ambience and the character that we think is what the specific plan is looking for.

Simison: I'm going to hold my questions for later if we can get into the public testimony, if that works. Okay.

Clark: Mr. Mayor, if I could, I don't want to let a potential question hang out there and Council Member Strader had mentioned at one point a question about the -- the ACHD traffic impact study at the beginning of the conversation. So, I wanted to be able to resolve that if there is a question about it. ACHD has approved the traffic impact study and in connection with the report they issued here recommended approval of the accesses that we have identified, but as far as I'm aware there is no disagreement about -- I think your comment was related to disagreement on the traffic impact study, but just wanted to resolve that if that was still outstanding.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I guess to briefly comment on that. I'm just reading their agency report that says, quote, we do not agree with the traffic impact study. And, then, furthermore that they barely meet the VC ratio of .90 a.m. peak and some other things. So, I think that's okay. I think it's important for us to get to public testimony and we could always loop back on that point.

Simison: Madam Clerk?

Weatherly: Mr. Mayor, we have two people who signed up, one indicating a wish to testify, and that's JoAnn Butler.

Simison: If you could state your name and address for the record and be recognized for three minutes.

Butler: JoAnn Butler. 967 East Park Center Boulevard, Boise. Representing the property owner immediately south of the applicant's property. Brian Black and Hotel SLC and AmericaTel entity. As staff knows, our client -- they have about 105 acres and we have been working with Meridian 118 -- which is 118 acres. A little bit to the west and the south. And we are working on a cooperative agreement to do the development and construction of Vanguard that would lead from Ten Mile all the way over through our client's property and, then, to the western boundary of the Meridian 118. So, we are very active in working with our neighbors on coordinating construction activities, especially road -- road activities. This application is for annexation and rezoning with a development agreement and a preliminary plat application is yet to come before you with specifics about the development and the development at that stage with preliminary plat, the specifics of the roads and the utilities become honed down between the property owners. As you could see on the concept plan that you have in front of you, the development issue that's of most concern to us is the alignment of Cobalt Drive. The alignment of Cobalt is shown on the concept plan and that concept plan will be attached to the development agreement. The conditions of approval on -- especially 1-A on page 23 of your staff report, require the applicant to substantially comply with both the concept plan and the Ten Mile Interchange Specific Area Plan. We are not convinced that the Cobalt alignment meets the guidance of the SAP, because it is shown on the future land use map -- or the map as above the property line and that alignment below the property line doesn't meet ACHD's policy manual to go to and through the applicant's property, but -- and when we originally saw -- you might have noticed sometimes tonight on your maps you have had two different maps in front of you. One where Cobalt straddles a property line and one, like the concept plan that we have here, where Cobalt, after the curve down to the property line, is -- is solely on our property -- our client's property. When we originally saw the -- I'm basically trying to tell you how -- how we got to making these comments to the city's Planning and Zoning Commission and to the applicant. When we originally saw the drawing that showed the Cobalt straddling the property line, we were just -- we expected that. We expected that they would go to and through, dead end at their property, and we talked to

our designers about taking the road from a dead end going straight south. The location of Cobalt solely on our -- our client's property would seem to burden our client's property and it becomes an off-site improvement that is not appropriate or fair. But we did raise these questions with the Planning and Zoning Commission and we did raise these issues with the applicant and I have to say the applicant has been very willing to meet with us and to work towards a resolution of this and they have proposed a way for the adjoining property owners to work together fairly, we hope. The devil is in the details with the development of Cobalt. We haven't been able to put pen to paper yet, but we certainly intend to do that as they make application with their preliminary plat and we would want that complete before you approve that preliminary plat. So, we would add -- we are basically raising this issue, so the Council remembers that the two property owners are going to be working together to equitably attempt to share in the cost of constructing Cobalt.

Simison: JoAnn, if you could wrap up, please.

Butler: Yeah. That's pretty much it. We are looking forward to working with the applicant on making that happen.

Simison: Council, any questions?

Butler: Thank you.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: JoAnn, if you -- if you wouldn't mind, if -- if we were to have them in here do to and through, at some point, you know, as we have heard from staff, that's going to -- they run into a parking lot or a back end of somebody's home, whatnot, on the property that's still to the west. It would have to curve back onto -- fully on the property of your client. Is that -- is that a correct understanding of how that would work? If --

Butler: From a -- I would -- we would have a couple of things and I -- I can't speak for the traffic design, other than what are -- my -- I can tell you what our designers have mentioned. You can curve down closer to the western area -- to the western boundary or we actually did do a design where we saw Cobalt dead ending at -- dead ending at its western property boundary and, then, taking -- kind of T'ing and, then, going straight south. So, that looked like it was -- it was possible. If we -- if we reach agreement it looks like we won't have to address that at all.

Hoaglun: And that's my hope I guess.

Butler: Yeah. Right.

Hoaglun: Okay. Thank you.

Weatherly: Mr. Mayor, that's all that indicated a wish to testify.

Simison: Okay. This is a public hearing. Is there anybody else who would like to provide testimony? If there is anybody online that would like to provide testimony, please, use the raise your hand feature, so we can allocate your time. Please.

LaFever: Hi. My name is Denise LaFever. I'm at 6706 North Salvia Way. One of the things I noted in here is that there is a cost savings by tiling the canal and it counts towards the open space calculation. With that said, I do like the idea of having that open. But what I would like to see is that if a waiver is granted and approved, I would like to see the amenities locked into the DA. Benches, fences, bike stations and other safety features. I also noted that on the side with the high density apartments, I don't see any pathways or amenities to help out that high density thing. Maybe I'm missing that. Also I'm very concerned about -- there is no left-hand turn, which poses a possible safety concern for travels, both on Franklin and Ten Mile for people pulling out into traffic coming down those roads. We are seeing that really heavily now with Costco and some of the other developments off of Chinden. Given the intensity and density of the development, I'm concerned about the developer using off-street parking for meeting parking requirements for residential and visitors. But my biggest concern comes down to the school district. The school district only reports current enrollments and factors in estimates for this development. It fails to factor into surrounding already annexed and permitted residents for the City of Meridian and the other surrounding cities. This project amplifies the future strain on schools, school budgets, and taxpayers. Did I mention developers pay no impact fees? The burden will be borne by the taxpayers. Is that fair? The school letter stated levies for future school will be done. They -- they are looking for people to donate land. For the fairness of the residents I think this really needs to be looked at. I'm concerned about the lack of services for residents in Meridian and the need for commercial. Much of our commercial keeps getting turned into high density residential through the CUP process. The concept plans have been troublesome in the past. Developers come back and state this was a concept plan. Things change and that opens it up for waivers, CUPs, alternative compliance, UDC changes, rezones and DA changes. These can lead to major depart -- departure from the concept plan, especially over time and in some situations it can go back through and drastically changed what the public was thinking they were getting. Thank you for your time.

Simison: Thank you. Council, any questions? Thank you. Is there anybody else that would like to provide testimony on this item at this time? And we had nobody else online indicate that they wish to testify?

Weatherly: Mr. Mayor, that's correct.

Simison: Okay. So, would the applicant like to come forward for final remarks?

Clark: Mr. Mayor, Members of the Council, Hethe Clark. 251 East Front Street. Just a couple comments here briefly. With regard to schools, West Ada did provide a letter and

it showed that there is capacity at Chaparral Elementary, Meridian Middle School and Meridian High School. So, I think that that has been addressed by the agency that's, obviously, in charge of that. With regard to parking, there is 930 spaces that are required for the residential. We have provided 1,034. So, we have got somewhat excess parking. And, then, I did want to thank JoAnn for her comments and we do look forward to continuing that conversation with our neighbor to the south. We will continue that through to the preliminary plat and, you know, expect that whatever resolution comes out of that would be consistent with the specific area plan. And, then, with regard to -- I think I would just end with a comment about what the standard is here. You know, we want to make sure that we are meeting the vision of the city. The vision of the city is expressed in the comprehensive planning and as the staff report has shown, that comprehensive planning is reflected in the zones that we have identified and the densities that we have identified and the layouts that we have identified and so, you know, a lot of thought and work has gone into this over the past several months. This has gotten a lot more detail at the concept plan level than I think I have ever seen and I would ask for the -- for the Council's approval on this. I just don't want the Council to forget that we are asking for that waiver on the -- on the Kennedy Lateral. So, whatever motion comes out of this we would ask that -- and, hopefully, it's an approval and that it would include that with it. So, happy to answer any final questions for the Council.

Simison: Okay. Thank you. Council Woman Strader.

Strader: Mr. Mayor. Hethe, you know, you have gotten a lot of feedback at this point. Just curious where the applicant's head's at. You know, personally if I -- if I were in your shoes I would consider like a continuance, maybe take a look at some of the hot button issues and come back to us. That's just me. Just curious what your feedback is or if you want us to vote on it tonight, up or down vote. You guys are in the driver's seat, so let us know based on what you have heard so far.

Pilegaard: Good evening, Mayor and Council Members. Erik Pilegaard. 10891 Olana Drive, Truckee, California. If we had the users in tow for your commercial we would be happy to build it. We would be happy to come back and where we have the -- the town flats, where -- on the right side, to add that commercial space. We would be happy to. The demand is not there. Winco passed. They are one of the major -- this is their home base. They passed for the commercial. If there was an office user that came to us we would be happy to come back to get more commercial. The data shows us and tells us that there is not that demand there and I think from the COVID aspects -- I don't want to have to come back later and do like -- I spoke with the planning department, we are losing some of the commercial. Why are we using that -- losing that? Because I don't think there is a demand there. It's more profitable to build commercial and to service a community than to do flats or commercial and residential on top. So, if the demand was there I think we would definitely show more commercial in that particular area. I had under contract the kitty-corner piece that you approved several months back on Ten Mile and Franklin and there was a lot of commercial there. He is the big Costco developer that's fairly successful. I don't know if -- because this is a going-to-work side, with our access issues that we have, right-in, right-outs -- we don't have any left turns. We don't

have a stoplight. If we had those accesses that's what those users want and need. So, if -- ACHD told us there is no future signalization there, so that left turn that Council Member spoke of doesn't exist. We have right-ins and right-outs. Very -- very left turns and, again, commercial needs that to survive for your access to come in and come out. Across the street the Brighton development, they have office, large office, but if you look at their retail commercial it's struggling. They have vacant space that they have spec'd and I don't know if that's from COVID or where it's located, but, you know, we don't want to be that guy that makes mistakes. We want to make something that's successful. We think the -- the commercial development that we have will really help and sustain the residents that we have there at that population base. We don't have any signed commercial deals at this point. Maybe one coffee. And we have the -- we field the best marketing team in town to get that done. There is no big grocery anchor. We slatted a grocer there to accommodate one, but we -- the demand just is not there. So, the accesses I think really drive that. If there was better access to this particular site I think the commercial or a signalization would be huge. Would be huge. So, hopefully, that helps out from where our perspective is. We worked with planning for several months and went through several iterations of the design to conform to what the city wants. The concept plan, the interchangeable plan. We tweaked everything we could to meet their demand. Hey, this is what we want. This is the vision of the city. We tried to illustrate that here on this development. If you are saying, hey, go back and kind of redesign and put some more commercial in there, I'm happy to take the three, you know, light green and make that all commercial, but I don't want to come knocking on your door in five months and say I can't lease it. I'm not going to spec it until I have a tenant. I'm just being honest what the market conditions are. I think the rooftops that we create there for families will help generate some more commercial. The office complexes that we have here, we have had maybe one dentist or two dentists look and that's about what we are seeing from that aspect. So, this is what the market is telling us to do and we have complied with, you know, planning and worked very diligent with them. I mean a lot of renditions. So, I hope that helps explain that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I just want to explain where I'm coming from. I'm just one vote. But just, you know, so you are not -- so, you are not surprised by the decision. You know, look, I -- I totally understand what you are saying about market conditions. I think the challenge is that we are making decisions about the city that will take us decades into the future and so we have to really decide how much land we need for commercial and really looking at that holistically is an important part of our job. So, if the market conditions don't support commercial development today, maybe it won't happen, but that land needs to be available for commercial in my opinion. And I'm also struggling with -- similar to Councilman Cavener, the layout of the high density residential and feeling like there is not kind of fairness of access to the open space and I just think there is -- there is more work to be done. I think if you were to, you know, do -- do some more work on it, perhaps you could work with our economic development team, who are very good, you know, who may

be a resource available to you to help with some potential users and so forth. But I'm not there yet today and I won't be voting for this. So, I just wanted to be clear about where I'm coming from.

Pilegaard: You know, you indicated something earlier -- there is flexibility in the -- flexibility in moving zones back and forth. We had to follow the guidelines from planning, not to be able to pluck a four story building and throw it across the creek or the canal to integrate it more, to make it feel more part of that community, or take the clubhouse section and move it on the other side -- on the high density side. But because we are -- you know, we are constricted with all of the guidelines that you have set forth -- are you telling us that you are willing to move those guidelines around to better integrate the site? I want to understand what I'm hearing, so I can, you know, adapt.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: It's -- it's not -- well, let me say this: What you just explained is exactly the struggle we have every time we do this, right, and as Council Woman Strader said, we have to be very forward thinking about it and you are looking at this as a -- in a point in time and we are looking at this in -- now and in the future, but also, please, understand that we regularly hear from our residents as to what they are looking for and we are -- and part of our Comprehensive Plan and all of the regulations that are put into place, those were all created with citizen groups and individuals who are very interested in the outcome of our community and so, yes, this is the city that's -- that's communicating this to you, but so much of -- as we are sitting here thinking -- thinking about this project, we are also keeping in mind the variety of input and public opinion that we receive and so while it may seem like it's just the six of us having really strong opinions about it, a lot of it is coming -- as you know, you -- you all present before councils and -- and groups all over -- all over the place on a regular basis, so you know this, but as far as the different -- the R-40 versus the mixed use commercial, we have had applicants come before us in the past who have asked us to float those designations to create a more integrated development that would require a different application that would come forward from you, because, then, it would be a -- I don't know exactly, technically, what the difference would be if it -- if it is -- it's not a Comprehensive Plan change, is it? Maybe that's a question for staff. If they were to come and request a different -- in the R-40 section, that they would not be able to meet the limitations of that, if they -- if they were to alter this plan according to the conversation we are having here in Council. Perhaps Sonya can --

Allen: Mr. Mayor, Council Woman Perreault, I'm not sure I was entirely following, but if -- if you are talking about the high density residential designated area in the southwest corner of the property, if -- if they are proposing a development that's not consistent with that, then, generally, it would probably require an amendment to the future land use map. If it's -- if it's -- again, it's a guide. So, it would really depend on what they are proposing, whether or not we could float, so to speak, some of the adjacent future land use designation -- it just -- it just depends what you are -- where you are going.

Perreault: I think if we ask the applicant to go -- to go there that we should be really clear about what it is that we --

Allen: I agree.

Perreault: -- or that's different, because that is -- that's a significant ask from a -- from a cost standpoint from an application. Other public hearing time delay. Obviously, again, as Councilman -- Council President Bernt explained, we are not here to design this for you. That's not the intention. We are just trying to be forward thinking, so --

Clark: Mr. Mayor, Council Member Perreault, you know, I'm in front of you guys all the time, you know, one of the things that we hear most often is, you know, respect the plan -- you know, respect the comp plan. Don't come in with land use -- with FLUM amendments and, you know, what we have tried to do here is exactly that. We have worked extremely hard to -- to align what are a number of competing interests; right? So, when I look at this site I look at it and my initial thought is, wow, two principal arterials; right? There -- there should be something massive there. But, then, you have also got Meridian's policy and ACHD's policy of restriction of access onto arterials; right? You guys have to give us a waiver tonight to be able to get those accesses. ACHD -- we had to -- I don't even want to describe it. Yeah. I mean we had to work really hard to be able to get even the right-ins, right-outs that we got and that constrains commercial. So, you know, absolutely, we -- we want to listen to the Council and, you know, if Council can give us specific direction on things that you would like us to take back to the drawing board and come back to you in a few weeks, then, I -- you know, I -- I would be an idiot if I didn't say, yeah, we will -- we will consider that rather than risking going to the -- you know, having to start the whole thing over. But I -- just I really have to emphasize that -- how much -- how hard we have worked to meet the existing comp plan as it exists and to align all these factors, you know, which I think that the commercial elements of this really have to be taken into account given the limited access, so -- and, obviously, anytime you guys issue a denial you have to give us specific direction per state code as to what to change to -- in order to get an approval. So, you know, in this instance if -- if the Council can give us specific direction, we will -- we will take it back and we will see what we can do and -- and, then, we would have another conversation with you. But we really need specific direction and we really need to know that the rules that are in place at the time we make our application continue to be in place by the time we get to Council.

Simison: So, a couple questions. I don't know who all is best -- Sonya or somebody else, but a light on Franklin. Is it likely that there is going to be a light right on the other side of that canal that aligns with the apartments to the north and the Ten Mile secondary -- I know ACHD eventually does not want Ten Mile turning left out of their main entrance, but if there is going to be a light in the area that's where I would think one would be based on what I'm seeing. So, my question is kind of -- is there a reason why there is no contemplated cross-access to the property to the west, even though these are private? Can you kind of help me answer that? But it's like a connection might help with some, because it could give a potential light access in the area, but I don't know if that would be

contemplated in that location or not by ACHD or others. If it meets our policy. If it's far enough away. But I'm envisioning that someday there is going to be a light at that location. That's just my two cents, so --

Clark: Mr. Mayor, I don't know the answer on the light question, but in terms of the cross-access to the property to the west, that -- the property to our west doesn't have a connection to us, so that's why there is not one shown.

Simison: Okay. Good to know. The second question, minor, if I missed this. Lower right-hand corner, there is nothing in this concept plan. It's on your property, but it's just like -- is there anything -- open space, are you -- oh, swap? Okay. I must have missed that completely then. And, then, the final thing, just as -- it kind of goes back to those three apartments down in that corner, like to me even looking at flipping them, so you take away the parking that's between them and the open space, just gets it closer. Now, I know that's going to create a mass of parking on the -- further away from those buildings, but at least, then, it doesn't feel like you are separated by a parking lot from the access to the open space, you know, and I don't know if that helps or hurts, but what I also heard you say is you got more parking than you need, so perhaps you could take out some parking in order to have more -- in order to put in some green open space for people.

Borgess: I guess the only thing I would add to respond to that is that the specific plan -- I'm sorry? Oh, yes. Layne Borgess. 11500 Armor Court, Gold River. 95670. What I would add to respond to that is that the orientation of the -- two of the three high density buildings are specifically done that way because the specific plan basically dictates the building be placed up to the street with minimum setbacks. So, the plan encourages straightforward buildings, as opposed to pushing the buildings up against our open space and having a parking lot of three or four hundred cars as the frontage to Cobalt Drive. So, that in tandem with the orientation and the location of the canal kind of, in a lot of respects, dictate how those three buildings are oriented and organized on that portion of the site.

Simison: I knew that was the case. I didn't want to suggest a parking garage, but that to me is probably really the solution to create the space down there or a different design. Because, yeah, otherwise, just a lot of parking away from the building. My two cents, but I want to wait. I'm done.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. One of the things that -- because I listened to all the comments and feedback and plans and looking at this and trying to figure things out, you know, one of the things that strikes me is the future land use map does show high density residential on that side of the creek and those are our rules and that's what we put into place. I mean it's a guide, we can change things, but, then, you are going to -- if you look here on the left of that FLUM there is the high density residential. It's right where we wanted it to be.

Then, if we go back to that concept plan, I look at it, go, okay, what can we do to make it closer? Well, what if we have them move that lower right-hand side, high density one, and that's a nice triangle we could have them flip that and put that down there. Now all of a sudden you are on Cobalt Drive, you are far away from all the flats and everything, you are not centrally located, but you are much closer to high density and they can add some flats here and townhouses there and whatnot, but it's like, well, then, that goes against what we want and that's, well, make it centralized. Someone's always going to be farthest away from -- from the open space or clubhouse or something like that. The walk to our big swimming pool is a long ways away and to the big park and to the nice park and everything else where we live in our subdivision. Hey, I'm going there for exercise, so I'm going to walk. Hey, that makes sense, so -- so, it's -- you know, as we try to reconcile these different things and different thoughts, I don't come up with a solution, especially when it's a response -- the design is in response to what we require and -- and that's, you know, a light on Ten Mile and Cobalt would make sense, but I get how close it is to Franklin. Right-in, right-out, I -- I had noticed growing up in Meridian, it didn't matter where you go you could -- you could access, left, right, didn't matter. I now think in terms of what is on the right side, what can I do business wise that takes me this way at some point that I can turn and, then, I'm going to come back and do business on the other side, when if I have to go back and forth. You just have to plan ahead now. It has changed. Not that I like it, but it is what it is and we are not going back. The clock's not turning back. So, now we have to deal with these factors of, yeah, this is going to work traffic. I mean that's -- when I go up Ten Mile Road I am going to work and, yeah, if there is a coffee shop they might stop there. Dry cleaners. I don't know. We are going more casual. I don't know if dry cleaners are going to last really. But anyway. There is some specialty things that need drycleaning. But, yeah, all -- all these things that -- that we would like to see -- I would love to see more commercial there. But at the same time I think about what skin do we have in the game for that? We don't have any. We want that. Okay. Where is our market study? What tells us that it will support more commercial? I don't have that. You guys have the skin in the game and I think you are paying a lot closer attention to that than -- than we do. Council Woman Strader's point is -- is spot on, that point long term, if things turn around and we needed more commercial, that would be great to have more commercial there. But how do we balance that of time and money and -- it's not our money. It's not our -- you know. That's -- that's a tough one. Do you just scrap the whole thing and say, well, we are going to wait five years? Well, then, what? Well, things could change. What's the market dynamic? It could change this again. I don't know if there is any perfect time. I -- we try really hard to get it right and it's -- it's not easy. It's -- it's really not easy. So, just -- just my thoughts. I -- there is a lot of elements about this I like, trying to create that sense of place of people that the clubhouse I think is going to be an amazing amenity with -- with the extra things that you have. Yes, there are specific tweaks we can provide you to come back and say, okay, here is what I see. You know, is it more open space in some of these corners of high density where there is a tot lot or something that I think Councilman Cavener was alluding to that, you know, what -- what can be a little closer, you know. Maybe that's something that could be worked on. But I would like to see us get kind of more specific than -- you know, I -- because I even thought, Mayor, the same thing, turn -- turn the buildings, but our plan doesn't allow that. I mean we don't want the parking lot up to the street. Okay.

So, we have to live with that. So, yeah, I just -- if there is ways we can make it better I'm all for that, but I'm kind of hard pressed to say, okay, move high density over here, because now we have to change our whole planning process to do that. So, I'm kind of stuck here.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I do you have a suggestion. We hate designing projects for you and I don't want -- but I have a suggestion. Why not? It's a creative process maybe. So -- and I think part of my struggle is if this was a high density residential project and it had to stand on its own two feet I wouldn't vote for it right now, because I feel like these buildings are orphaned off on their own. But a suggestion I would have -- I mean we have these two bottom high density buildings along Cobalt Drive and what we have seen other developers do is actually move those buildings a little bit closer together and potentially lose some of that parking in the middle and put green space, a giant MEW something there, maybe, that would serve those residents. You know, you have an excess of parking. We have seen that kind of a design. We have seen -- and I don't underestimate your creativity a bit. If you can make the financials work, recently we have seen developers put parking on the core of the building and we have seen that very successfully in other projects, so I have to think part of the market would support that product. I don't know if a full blown parking garage would work, but I think there are things you could do that would make that high density residential piece more palatable personally and still adhere to the Comprehensive Plan. I personally believe that we should give flexibility to float a little bit if the overall amount of commercial is in alignment with the total acreage and the space and if staff believes it's appropriate, but I do want to see a little bit more commercial. I think I understand your point about the market and I wonder if -- if, you know, those light green buildings perhaps became commercial and they took longer to develop if this would still pencil or not, but I'm hesitant to let go of commercial land at this point given the decisions we have made on some mixed use properties and feedback we have heard. So, I don't know, just some suggestions. But I don't -- I don't think it's unworkable or undoable, but I think you could retool this a bit personally.

Clark: And, Mr. Mayor, if I could just -- just one comment. I appreciate that, Council Member Strader. You know, the -- the mix -- those green buildings are -- would be second tier, you know, behind other commercial and they would be behind other commercial that's access controlled. So, you know, I think, you know, maybe, you know, something to consider there and I will take it back to my team and we will talk about it, but, you know, if there is some flexibility there to allow for commercial in a later date, but go with this, you know, as part of a redevelopment, I -- I just hate coming in front of you guys and asking for a development agreement modification later on when we are setting ourselves up for failure, you know, when -- and that's what I'm trying to avoid. But I definitely appreciate the --

Hoaglun: Mr. Mayor?

Simison: Mr. Hoaglund.

Hoaglund: I think we just had an application request for that on Overland Road where the secondary commercial did not go.

Clark: Hethe Clark might have been the applicant or the attorney for the applicant on that, so --

Hoaglund: I think so. And because it -- it was quite a while. I mean it was --

Clark: It was in Movado and it had been going for -- you know, had been sitting vacant for years and years and years and it was tier commercial similar to that.

Hoaglund: Yeah. That's -- that's -- that's the difficulty of these things and, like I said, I, too, would like more commercial here, but it's just that -- when will that market change? We don't know. And how do we -- how do we deal with that? How long do we wait? What do we do in the meantime? That's -- that's the difficulty.

Simison: Well, what does Hethe Clark, the attorney of record, think about how long -- you know, The Village is a great example. You -- that's a generally successful commercial area that had a fair amount of turnover, but they have also not been able to develop all their pads and we are nine -- eight years into that project. I don't know what's appropriate time to ask people to wait to get the right thing for a developing community. I would love to have that academic conversation offline some other time, you know, from that standpoint, but -- because that's -- you know, not everything is expected to develop right away. Or should. And a lot of people don't get it right when they think it's right the first time anyways.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Hethe, I appreciate the willingness, I guess, for a continuance. It sounds weird. How much time would your team want?

Clark: So, looking at calendars, we get into the middle -- I think Council is meeting during the middle of July; correct?

Cavener: Uh-huh. We have a couple of big hearing, though.

Clark: I think we could have something in like a three week range we can probably be back with an updated plan.

Cavener: The 13th?

Weatherly: Mr. Mayor, at this time on July 13th there is one hearing for an ACHD Ustick

maintenance facility. I won't have time to notice Planning and Zoning hearings on July 13th, so that would be a date you could consider.

Nary: The Oasis is on that night, too.

Weatherly: Oasis is July 20th.

Nary: Oh, yeah. It moved. That's right. Sorry.

Allen: Excuse me. Another consideration, Mr. Mayor, would be if revised plans are submitted they would have to be submitted -- we would like them submitted a minimum of ten days before the hearing.

Simison: I was waiting for that one. Which is why -- once I heard the 20th, then, I thought, well, maybe the 27th. But I don't know Council's viewpoint on how they think the Oasis is going to go, how late they want this one to go.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I'm open to suggestions. I -- I will not be here on the 27th, not that I have to be, but I think it's important for Council know that at least now, since we are at least contemplating a continuation maybe to that date.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: You have given the guide -- you know, the time frame. What -- what's -- what's the date? What do you think?

Clark: Well, I would love to have as many of you here as possible. You know, I think -- I didn't -- I didn't quite catch the -- is there an issue on the 20th? Is it a full agenda on the 20th?

Cavener: So, the 20th is the -- yeah, we have a very -- we anticipate a very lengthy --

Simison: That's the 20th.

Cavener: 20th. On the 20th we are expecting a very lengthy public hearing process on an application with a lot of residential involvement -- citizen involvement.

Clark: Well, I would prefer not to lose six weeks.

Cavener: I don't blame you.

Clark: So -- and I'm just -- I guess I'm just collaborating with everyone out loud here right now. So, the other option would be potentially the 13th. But we would need to get something to Sonya before the holiday weekend for you to be able to -- why don't we -- this is me being as optimistic as I can. Let's -- let's try for the 13th. We will get you a new updated -- get Sonya an updated plan. That would mean we need to have it to her by the 3rd. You know, obviously, we wouldn't be able to have the -- the detailed renderings of all the buildings and all of that, so I'm anticipating that Council's request is to focus just on the site plan and some of these different arrangements that have been discussed, which were to -- some green space in the high density residential area. Look at potentially replacing some of the mixed use buildings and -- let me make sure that I have in my notes the other thing. I think that's it. Just the commercial -- some commercial on the second tier. Those are the two items I'm hearing.

Simison: One other very minor thing. I don't know where this would come in, but do you feel like that this even creates connection to the corner to cross over to the east side of Ten Mile? And I always -- I know that there was some -- a lot of thought put into the pedestrian connectivity on the other side, but I just don't know if -- if this is intended -- if this area is intended to be integrated in that manner, but just that corner doesn't even really show even any pathways to the corner, if that's an intention or not.

Clark: Mr. Mayor, are you talking about the southeast corner?

Simison: Northeast corner.

Clark: Northeast corner.

Simison: Yeah. That's -- when we -- when we had conversations about others talking about -- and I know this is not pertaining to pedestrian connectivity that was on the other side of the road, but I don't know if the intention is to try to get people to even cross in this area, but it doesn't seem like there is a path to move people if they want to go across the street or anything in the future. That's all -- that's really my main point.

Clark: Sorry, Mr. Mayor. So, you are -- you are saying a pedestrian crossing it -- looking at getting people across --

Simison: Yeah. I'm looking at your circulation. Does your circulation pattern here allow for pedestrian, bicycles, to find a way to exit this development to go into another one of the quadrants of this area and maybe it's not intentional to do that from that standpoint, but --

Clark: Yeah. It's, obviously, a challenge, because you would be crossing an arterial, but you know, we can -- we can look at that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I also think another piece of feedback would be, you know, to the extent you can get this arrangement on Cobalt ironed out, I think that would also be extremely helpful.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I would just like to say that, in general, I know we are really being tough on this and I really appreciate that your -- your humble willingness to take our feedback on this and truly I want you to know that it is because we -- we want all of this to be successful for you and for our residents and it is not to be -- it sounds like it's coming from a place of -- of criticism, because we have sat here and sort of picked this apart. But, please, know that the intention -- I can unequivocally say on behalf of this Council is for this to work well and -- and truly keeping in mind the conversations that we weekly have with residents. As you experienced this evening we had somebody come and give public testimony about the Orchard Park development where Winco currently is. We do have residents that are -- that are intimately affected by these projects and so we are always trying to balance that and yet still honor our development community as best as we can. So, I know we are being tough, but, please, know it's coming from a good -- a place of goodwill.

Clark: Thank you.

Simison: Council, anything else or is there a motion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I move that we continue file number H-2021-0025 to July 13th.

Strader: Second the motion.

Simison: I have a motion and second to continue to item to July 13th. Is there any discussion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Hethe, just a quick comment. Your client's are very lucky to have you.

Clark: That's nice of you --

Cavener: A comment I heard from your client is we don't want to make mistakes. Council doesn't want to make mistakes. When I hear comments, though, from the applicant they

aren't sure that commercial can be successful here, that definitely gives me a big pause. You are an honest broker. I trust you will bring back something that's workable and doable and look forward to seeing that in a few weeks. So, appreciate you.

Clark: Thank you.

Simison: Is there any further discussion on the motion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it and the item is continued.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

ORDINANCES [Action Item]

- 7. First Reading of Ordinance No. 21-1933: An Ordinance of the City Council of the City of Meridian, Approving the Second Amendment to the Meridian Revitalization Plan Urban Renewal Project, Which Second Amendment Seeks to Deannex Certain Areas From the Existing Meridian Revitalization Project Area; Which Second Amendment Amends a Plan That Includes Revenue Allocation Financing Provisions; Authorizing the City Clerk to Transmit a Copy of This Ordinance and Other Required Information to the County, Affected Taxing Entities, and State Officials; Providing Severability; Approving the Summary of the Ordinance, and Providing an Effective Date**

Simison: Next item on the agenda is Ordinance No. 21-1933. Clerk will read this ordinance by title.

Weatherly: Thank you, Mr. Mayor. This is the first reading of Ordinance No. 21-1933. An ordinance of the City Council of the City of Meridian approving the second amendment to the Meridian Revitalization Plan Urban Renewal Project, which second amendment seeks to de-annex certain areas from the existing Meridian Revitalization Project Area, which second amendment amends a plan that includes revenue allocation financing provisions, authorizing the City Clerk to transmit a copy of this ordinance and other required information to the county, affected taxing entities, and state officials, providing severability, approving the summary of the ordinance and providing an effective date.

Simison: Thank you. Council, you have heard this ordinance read. Would anybody like it read in its entirety? I don't know if we do that on the first reading. But I don't know why I have people standing up here either, so -- I'm going to say no one wants it read further, so we will stop there. And I will ask you what are you doing here?

Perreault: Staff just love to be here at 10:00 o'clock at night.

Arial: Yeah. It's our favorite.

Strader: Mr. Mayor?

Simison: Council Woman Perreault -- or Council Woman Strader.

Strader: This is a mea culpa on my part. I did put them through like a 45 minute meeting today on this topic. So, I apologize if I am the cause of you being here. All my questions were answered. I'm so sorry you had to stay so late.

Arial: Mr. Mayor, Council Woman Strader, appreciate that. But here to serve and answer any questions if you have any.

Simison: Okay. So, Mr. Nary, is it -- would our intention be to put this -- what's -- what's next for this one when we do a first reading and --

Nary: Mr. Mayor, Members of the Council. So, there is a process that is required by state code. So, it -- you cannot accelerate the readings. We have to have all three readings before we can approve it. So, that's -- we are on track to have this done within the time frame we needed. So, this is just part of the process.

Simison: Okay. Are we allowed to take comment on -- just for the future, are we supposed to take comments on ordinance readings?

Nary: You can. It's up to you.

Simison: Just want to make sure I understand moving forward in case people show up that want to talk or ask questions. Okay. Helps me out.

Perreault: Mr. Mayor?

Cavener: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Question along those lines. Is it the nature of the ordinance that causes the readings to be read separately or a request by the -- help us understand --

Nary: It's the nature of the state code. So, the code is very specific on process for both the de-annexation of portions of an urban renewal district and the formation of an urban renewal district. So, we are following all that process. We have, actually, on the line is Meghan Conrad is also assisting as legal counsel for the MDC. Mr. Baird from my office has been the one shepherding it for us. So, we are just following the process as required.

Perreault: So, it's the nature of the ordinance that's causing us to do the three readings?

Nary: Yes.

Perreault: Okay. Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Won't come as much of a surprise, but my request would be that at least one of those be noticed as a -- as a public hearing.

Simison: Okay.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I had asked, Mayor, that one of those ordinance readings be noticed as a public hearing, but not just that we can take comment, but we are telling the public we are requesting their -- their time to come and provide it.

Nary: Certainly do that for next week and the following week even, whichever. Sometimes the second reading is helpful in case there are a desire to change.

FUTURE MEETING TOPICS

Simison: All right. Thank you. So, Council, we are to item under future meeting topics.

Strader: Mr. Mayor?

Simison: Council Woman Strader. Cameron, you may want to stick around for this one, too.

Strader: No, you don't have to, Cameron. Catch the tape later. That's okay. So, regarding the comments earlier on the Orchard Park development, I -- I would like us to have a future meeting topic on that one. I feel like -- I don't think there was any bad intent at all on the part of staff, but I think maybe if something got lost in translation and I just would like to understand if there was a communication breakdown between Council's intent with Orchard Park and what actually happened and just get that in a public meeting on the record, so you can kind of understand how that played out. I personally had the impression that Winco would not be able to open without a CO and that Council's direction was that we didn't want that to happen until these road improvements were completed and I guess I -- I would like to understand if -- if we moved forward on that -- for some reason staff moved forward on that without checking in to get an affirmative approval from us. If we have a process breakdown we want to look at or -- or just -- I think we should look at that situation and maybe just understand if we have a significant DA provision and it's being waived, how we want to handle that.

Simison: Okay.

Cavener: Mr. Mayor? Council, any -- yes, Councilman Cavener.

Cavener: To maybe just include in that -- I think further training for Council, so that our motions are being made clear, so that our intentions are being heard, because I think that that's -- that's got to be equally frustrating for staff that Council leaves thinking A and staff leave thinking B and now staff find themselves in a challenging position or Council find themselves in a precarious situation neither of us want to be into. So, I think, one, the staff side, but also better training for us about what we need to make sure that we are including some of that. It's a two way street.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: If -- if it is the Mayor's will to put this on -- on a future agenda, could we ask the Clerk's office to send us the clip of the -- of the hearing from Orchard Park? What is it? How many years old is it? So, that we could reference that and -- and refresh our memories on exactly what was stated. Thank you.

Weatherly: Mr. Mayor, I just wanted to make note, Meghan Conrad, the attorney for the second amendment situation, has raised her hand. I didn't catch her before we finished that topic, but I didn't know if you wanted to hear from her or not.

Simison: Her hand is down. Did you lower it for her?

Weatherly: I did not. She must have done it herself.

Simison: Okay. Well, I think we can catch Meghan next week, hopefully, if she's needed.

Weatherly: Thank you, Mr. Mayor.

Simison: Anything else under future meeting topics?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adjourn.

Hoaglund: Second the motion.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 10:03 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

_____/_____/_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK