

- 3. Public Hearing for Artisan Victory Market (H-2022-0066) by Kindi Moosman, Horrocks Engineers, Inc., located at 2820, 2910, 2960, 2990 and 3020 S. Eagle Rd.**
 - A. Request: Annexation and Zoning of 14.47 acres of land with the R-15 (12.45 acres) and C-C (2.03 acres) zoning districts.
 - B. Request: Preliminary Plat consisting of 5 building lots and 1 common lot on approximately 13.6 acres in the requested zoning district.
 - C. Request: Conditional Use Permit for a multi-family development consisting of 132 units on approximately 12.45 acres in the R-15 zoning district.

Simison: With that we will move on to the next item this evening, which is a public hearing for Artisan Victory Market, H-2022-0066. We will open the public hearing with staff comments.

Parsons: Thank you, Mayor. Yep. We can hold on.

Simison: Yeah. We will wait just second.

Parsons: All right. Thank you.

Simison: I guess technically we lost quorum'ish. Mr. Borton, are you still there? Mr. Borton, are you still there? All right, Bill. You're up.

Parsons: Thank you, Mayor, Members of the Council. The last item on the agenda tonight is the Artisan Victory Market application, which consists of annexation, a pre-plat, conditional use permit and also a private street. So, this particular project is the same applicant from the previous project. So, a lot of the same application materials and information that's going to be shared with you will be similar to what you just heard, minus the fact that this is not part of the TMISAP area. Yeah. So, we won't have to say that over and over again for you in this presentation. So, you can see here that the -- the site consists of 14.47 acres of land. It's currently zoned RUT in Ada county and it's located - - the physical addresses for all the -- the properties here that you see in your screen is 2820, 2910, 2960 and 3020 South Eagle Road. Believe it or not, there is some actual history on this particular property, even though it was in the county. In 2005 the city did approve a Comprehensive Plan map amendment to change this area to mixed-use community and, then, in 2006 some of the property owners came forward with -- as part of an annexation and that particular application was denied at that time. So, comp plan amendment moved forward, annexation was denied by City Council, because they didn't

feel it was consistent with the plan. So, the applicant here -- again is here tonight to discuss the development of this site. The current Comprehensive Plan, as I mentioned to you, is mixed-use community. You can see here on the Future Land Use Map to the left that the 14 acres is part of a larger mixed-use community area, approximately 50 acres to be exact -- to be precise for you this evening. And so when staff was analyzing this project for consistency with the Comprehensive Plan we did look at the mix of uses in this larger area, the 50 acre site. So, starting from the north and transitioning to the site, I thought it would be important for staff to share with the Council what's actually developing in the area, so you can get the flavor of the uses in the area. To the -- to the north there adjacent to the Ridenbauch Canal is a self storage facility. There is an office park. There is some single family detached homes. R-8. This particular project, which has the multi-family development and a small commercial node. And, then, on the hard corner you have a daycare, retail, and, then, a restaurant with a drive-through use and an assisted living facility and as you transition on to the south side of Victory Road there is the Rite-Aid, another daycare facility and another coffee shop with a drive through. So, overall when we annex -- analyze this project and found it -- we found it consistent because of the mix of uses that are currently occurring in the greater area. I would also mention to you that the desired density in a mixed-use community area is between six and 15 dwelling units to the acre and the project before you tonight is roughly 11 dwelling units to the acre, which is consistent with the comp plan designation for residential component of the project as well. Also let the Council know that I drove by the site here on the weekend and noticed that all the structure -- structures were removed from the property as well. So, now it's -- it's a clean slate. The applicant's gone in and cleaned up the property, so it is ripe for in-fill. So, again, the applicant is here to talk with you about annexing 14.47 acres. You can see they are requesting two zoning designations. One is the C-C zone, which is approximately two -- 2.1 acres and it's located in the southwest corner of the development and the remainder is -- the applicant's requesting the R-15 zone. Preliminary plat consists of five buildable lots and one common lot. So, again, there will be two commercial lots here in the southwest corner and the rest of the -- there is three multi-family lots, again, zoned R-15. The purpose of this graphic in front of you this evening is I wanted to show you the connectivity that the applicant is proposing with this development. So, starting along Eagle Road and, then, transitioning to the east, the -- the applicant is proposing an access to Eagle Road and this is a shared driveway, essentially, which has been approved by ACHD and, then, they are also proposing cross access with the adjacent property to the south, which is the Inglewood Subdivision. This internal loop road here is the private street that has been approved by the director to not only provide access to some of the multi-family units, but it also provides -- opportunities to provide addressing for those units, because of the number of units that they are proposing on the site and, then, the hatched areas, again, are -- are parking areas or shared driveways, not common -- not common driveways, just shared drives, like the Eagle Road access and, then, you can see here with the adjacent developments along the north east and south the city required stub streets to this road and so the applicant is proposing a segment of a local -- local street to punch through with this development and that's what I have highlighted here as well for you. And, then, as I mentioned to you, cross-access with this property was reciprocated to this development. So, we are getting that. The main reason why you see a small commercial node for this development is staff

felt this -- this was the appropriate transition for that occur, because of what was happening on the property to the south with the daycare center. So, it made sense to create the commercial node here along that area and, then, transition more with the multi-family to the adjacent residential to the north and to the east. Here are the -- again, just like the previous plan, the applicant has a mix of product types. A conditional use for that multi-family development. And they show you -- highlight all the various different residential types that they are proposing. This -- the comp plan does not specify to residential types like the Ten Mile area does or other mixed-use -- traditional neighborhood residential zones do. But in this particular case the applicant likes to have a mix of residential types in their developments and staff is supportive of that and it is supported by the Comprehensive Plan. The other thing that I wanted to point out on this graphic is the commercial node here, you can see one of the tenants is -- is a retail use with a drive through use and because staff viewed this as more of a neighborhood serving commercial node, if you will, we wanted to limit the -- the amount of vehicular traffic in the neighborhood, so we felt it appropriate to restrict this property to no more than one drive through on the site to -- to limit that. We thought given the fact that this private street does provide access to a majority of the units we have tried to -- we want to try to minimize that Eagle Road access as much as possible and that's why it was so critical to have this residential local street network happening with ACHD and making sure that it doesn't allow too -- too much cut through traffic. I would also mention to the Council that as part of both ACHD and city staff's recommendation, the applicant is and has provided traffic calming in the north-south roadway that you see here running through the development and that was some of the discussion that we had with the Commission. So, that was very critical that that occurred. As I transition to the open space with the project you will see that the new open space exhibit does show that traffic calming as part of the -- the project. So, again, the applicant is -- this particular project has -- the applicant's proposing 131 residential units, which includes 24 two-story townhome units, 31 duplex units and 45 single family detached units and, then, of course, their -- their main amenity is a centrally located clubhouse here as you come off the Eagle Road entrance. Bedroom mix includes 62 one bedroom, 53 two bedroom and 16 three bedroom units. So, as I mentioned to you, just like any multi-family mixed-use project, the applicant is required to provide a certain amount of open space. In this particular case the code requires 1.93 acres of qualified open space. As we transition from Commission to Council this evening the applicant was required to provide a revised open space exhibit, which you see in the middle of the screen here and I'm happy to report that the applicant's providing 2.47 acres of open space, which does exceed the minimum standards of the code for the multi-family standards. I also want to mention to you -- because this is a mixed-use development that the commercial portion also has to provide some form of plaza or usable open space. So, staff is -- has conditioned applicant to -- to provide that open space as part of their recommendation and that will occur somewhere in this area. Details to be figured out when commercial development is proposed for the site. Again, there are no tenants specified for the commercial -- commercial portion yet, but because there is a multi-tenant building here and that retail use there, we feel that there will be more than adequate commercial for this particular development. The code requires 191 parking -- or, excuse me, 281 total parking spaces for the site. The applicant and -- I'm sorry -- 191 for the multi-family and the applicant's providing 274 in excess of code requirements. I would

also mention to the Council that this does not account for additional on-street parking that occur -- that can occur along East Titanium Avenue, which is the north-south roadway here and, then, the commercial component has in excess of 55 parking spaces. But keep in mind that could be diminished with the requirement for the plaza area and some of additional pedestrian connectivity through that area and the applicant's aware of that. So, I think, really, for tonight's discussion it's -- it's just important to note that they exceed the code by a great amount. And, then, also you can see the -- the open space graphic also depicts all the interconnected pathways throughout the development, just like envisioned and required for mixed-use developments and that represents some of the blue walking paths here and, then, the red areas as well. And, then, also in the lower right-hand corner you will have the fencing plan for the development. Just like the previous project, the applicant's proposing similar amenities. So, you are going to be looking at fitness facility, the clubhouse, swimming pool, children's play area, passive open space area, the interconnected walking paths, community garden and, then, also at the Planning and Zoning Commission hearing the applicant did commit to adding electrical vehicles charging stations as part of this development as well and it was conditioned by staff to do so. Here is the amenity plan. I won't spend a lot of time on the building elevations, as we did that on the previous hearing, but, again, similar architecture as to what you can expect on this site, as you can expect in the Ten Mile area and, then, also two other projects that the applicant presented to you. In this particular case the front porches aren't the main focal for -- as it's not required for a mixed-use development, so I won't go into too many of those details. But, again, overall staff believes that these elevations are consistent with the architectural standards manual and we will verify that when we actually do the design review. So, I would mention to the Council that the Commission did recommend approval at the April 6th hearing. Testifying in favor was, of course, the applicant team. And if you had a chance to look at the public record there was quite a bit of public testimony in opposition of this particular project and most of the primary concerns stemmed around cut-through traffic, the density, of course, just congestion in the area and the extension of South Titanium Avenue. And, then, commenting at the hearing we had Lorie Delaney, Dave Bailey, Matthew Riggs, Bev Montgomery, Jennifer Jenks, Ritis Skinner, Carl Koonz and Leann Richardson. Again, these were residents of the assisted living facility that would -- they were concerned with just public safety. So, I would also mention to you in looking at the previous approvals with the Englewood Subdivision, which is the property directly to the south, that developer was required to put in traffic calming as part of their project through South Titanium Avenue and looking back at that public testimony on that project it was clear that both the Commission and Council wanted that as well and looking at the Google -- Google Maps this afternoon I can see where they have added an additional pedestrian connection across East Titanium and I think that was to suffice for their -- their traffic calming. But one thing that stood out for the Commission was that this applicant and that southern property owner was required to work together and come up with a strategy and I wanted to step back here. You can see in this open space exhibit you can see where they have a chicane here where they -- they choked the road down and, then, also at the intersection they have some bulb outs here to add that traffic calming component to slow down traffic through there, as discussed at the Planning and Zoning Commission. So, key changes -- or Commission changes, anyways, to staff's recommendation, again, DA provision C was modified to allow the applicant to get under

construction prior to recording the plat. Again coordinate with the southern property owner on the traffic calming, which they have and I'm sure they will share that information with you tonight. And, then, just like the previous application, Public Works general condition of approval 2.9 was modified to mimic the same language as the previous project consistent with previous approvals. So, really, no outstanding issues for tonight. I had a chance to go back and look at the public record and we have not received any additional public comments on this application since the Planning and Zoning Commission. Again, both staff and the Commission recommended approval. I will conclude my presentation and stand for any additional comments or questions you may have.

Simison: Thank you, Bill. I guess you get my questions and -- and these are directed now to you, since you have said that this was staff level recommendations. Can you go back to the site plan. That -- that one works right there. You know. You know, personally I have had issues with putting commercial into residential locations, but now we are putting commercial with drive-throughs into a residential location and, then, we are going to put them out on private streets. Speaking as someone that lives in this area, it depends upon what product goes in there. I'm not going back out on Eagle Road. It's out -- at the entrance-exit there. I'm going to either go up to Easy Jet and exit out on Easy Jet. I'm going to go south to Victory. Explain to me what the rationale for having private streets, which are going to have to carry drive-through commercial traffic, as compared to making that a public road until it connects out to the north-south connect -- connection.

Parsons: Mayor, Council, I -- again, I appreciate the questions, because certainly when we look at mixed-use, the intent is to try to get that where we can. Simply put, it's like -- like the last project; right? We -- we work with applicants. We try to come with workable solutions -- or at least concepts that they -- they can bring forward. The questions you brought up tonight were the same things that we -- conversations we had with the applicant. When we originally started with this project our intent was to have commercial along the entire Eagle Road frontage, so you would not have that. You could actually bifurcate the two and have a logical extension of that. But in working with the applicant and hearing some of their rationale, in their mind -- at least in the discussions that we had and seeing whether it's sandwiched between two residential portion to the north and a mixed-use development to the south, in their mind they felt it would be difficult to carry that much commercial as part of this project and that's why when I opened up my argument tonight -- or at least my opening remarks I wanted to at least share with the -- the Council that there is more to this mixed-use area than just this piece of property and that we should look at the entire context. Now, going back to your initial question is that some of the comments that I brought up in the staff report trying to mitigate for some of that. It's not always ideal that we do that and that's why I think the applicant has an idea who they want to go here, they just can't share that information with us. So, that's -- that's where staff has some of that comfort level where -- and that's why it was important that no more than one drive through went through there, but with some of the design concepts that I required the applicant to do as far as integrating the commercial with the residential there, I was trying to mitigate some of those concerns, because, you're right, typically it's hard to mesh and minimize the vehicular impact to the adjacent neighborhood when you

have a private street network. But in this particular case, knowing what I know and -- and working with this applicant and they have agreed with the conditions of approval, I think we can minimize some of those -- those comfort -- some of those concerns that you raised and try and -- and in staff's opinion this is treated no differently than a commercial drive aisle. It's the same width. So, that's where staff's rationale came in. It's like it -- we want cross-access, we want these projects to integrate. This is all part of the same mixed-use development. So, we did concede a little bit and was supportive of what the applicant proposed, is because of the integration and some of the other design concepts that come along with this project and the adjacent project.

Simison: And we -- you have answered my question. I -- I would say generally I would not be supportive of this concept of putting -- you know, making the transit -- you know, saying you need to put in commercial to make a transition when, frankly, you already could make a transition without the commercial and leave it all private road network, which, then, is going to eliminate noncommercial traffic into the area, which can also eliminate other types of cut through traffic that we know -- it's going to happen. I mean you have a commercial drive aisle, whatever you want to call it, but if you put a commercial space into that location you are inviting traffic off of Eagle Road in and it -- it will have to go through the development to exit in some other area and if you are going to do that -- you know, I don't know what's better, slowing people down through private street or putting an expectation that this is a car path to get out to where you want to go. But that's what's going to happen, because you are not going to be able to turn left onto Eagle Road out of this location generally and so you are going to have to go through it depending on the commercial use, so -- but right now there is five people, so I'm not voting, but if we lose one that -- this will become an issue, at least for me in the future, so -- Council, additional questions for staff?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you, Bill. This may just be because this is a -- the landscape plan is just a rendering, it's not an engineered document, but the driveways on the attached units on the very south side, that -- they are -- they are different sizes in the -- in the photo, but just wanting to double check that all of those are, indeed, 20 feet long driveways or more. And that's not just -- that's just a -- an element of the drawing.

Parsons: Mayor, Members of the Council, Council Woman Perreault, they are conditioned to provide 20 feet, because I called out the same thing and they are a little narrow and the applicant is aware of it.

Perreault: Okay. Thank you.

Simison: Councilman Overton.

Overton: Bill, could you just walk me through Titanium as it goes south? It doesn't look on Google Maps -- unless it's been changed that it's at the same level of roadway as what's coming out of this development. Is that just me looking at Google Maps and trying to compare the two of them or -- I don't see curb, gutter, sidewalk. I guess there is on Titanium. Is Titanium completed? Is it finished? The south portion?

Parsons: Mayor, Councilman Overton, yes, it's -- it's nearing completion or it is completed at this point and that's why they have to extend it and that's why during the Commission hearing there was -- and the public record had some -- so much public testimony on that issue, because they did not want the road extended through there. But to the Mayor's point, this is the most critical piece of the project, because if we didn't have this, then, everyone's driving -- you are -- you are creating more of a situation going on the private roads by not having this public street network going through here. It could exacerbate the problem on the private streets, which we are trying to -- to give people multiple ways out, so that we don't overload the private street system and that other people can get in and out of here and get people to the light, either at Victory or even Easy Jet out to the light on Eagle Road.

Overton: Yeah. I have been staring at this roadway plan for two days trying to figure out which way I would go to get out of here or come in, because that's how I work. Obviously you are going to want the light on Easy Jet. If you are going to go out on Eagle Road you are going to go right out out of this development. But if you are going to hit Victory you are going to go right next to that retirement center right down South Titanium and that if you put on top of those apartments a drive through, your -- and not knowing what drive through we are talking about, we are talking about a lot more traffic adding on to what the apartments would bring. I mean -- yeah, sure, I mean Publisher is going to get a little bit of traffic, but it looks like it's going to go primarily through that section right now, which is just the retirement center. Am I looking at this correctly?

Parsons: So, you can see -- and I pulled up our -- our zoning map so you can see that it is constructed. Yes, that was the concern and that's why we had the traffic calming.

Overton: Thank you.

Simison: Council, any additional questions for staff? Okay. We need to break or are we good? Okay. Well, would the applicant like to come forward, please?

Koeckeritz: Good evening. Elizabeth Koeckeritz with Givens Pursley. 601 Bannock. Representing the applicant developer in this case Baron Properties. With me tonight is Matt Riggs, Greg Hector and members of the development staff. I first also on this one -- this project has been going on for what appears to be years and so we really want to thank Bill for hanging in there with us. I think over the last couple of years we have worked with every single planner that the City of Meridian has. So, once again, there were a lot of iterations, there was a lot of collaboration, and we think that we did ultimately land on somewhere on a really good mix. To some of your points, Mayor, this has gone from all commercial along the frontage to a planner who said, that's fine, take out all the

commercial. You don't need any commercial. To maybe do this little bit of commercial. And now we have ended up with these two commercial pads and we think that based on what's going on in the neighborhood, having the one larger pad and, then, having one that's going to be smaller and it's more divisible into five or six, maybe seven spaces, is a really good unit mix there and the -- especially the smaller one is really going to bring in just a lot more of the sort of local traffic. Like that's more of the accountant, bookkeepers, that sort of business and, then, the bigger one on the -- corner there is that cross-access, which was really important to provide, so that there is really more of a direct flow down through that subdivision to the south, which is by and large part commercial on the hard corner. It's a lot more commercial and, then, there is the senior living facility adjacent to that, more in off of the corner of Eagle. So, going through that, since we already have talked about all of this, I will skip through much of this. So, looking at the site plan here, one of the things -- and you will be able to see it maybe a little bit better when we get to the picture with the dots -- is the surrounding zoning is R-15 and C-C to the south, R-8 to the north and R-4 to the east and one of the things that we really looked at -- and the development team really looked at in this -- in developing this one was recognizing that this did abut up against residential neighborhoods and so all of the more intensive -- the two story buildings, the townhomes are all located along Eagle Road or on the south where they go into that more commercial, higher intensity uses and that's where the commercial is also located. The home out to the -- on the northern boundary and on the eastern boundary, those are all one story homes and that was very purposely done, so that they would absolutely minimize the impact on the surrounding community. In fact, the homes on the left -- on the east side, there is only one more residential lot, like single family lot than there -- this -- our east side only has one more home than there are what they are adding up to and so it really does go to minimize the impact on the neighbors, which many of those homes are one and two story homes. As Bill mentioned, this is a few -- this is a mixed-use community area and the future land use map shows that it's really been developed in large compliance with what you have suggested with a mixed-use community area. To the north is the storage, then, there is an office park with an accountant, a dentist, things of that nature. There is -- beneath that there is slightly higher family -- higher density single family residential, which is R-8 zoned. Then there is the multi-family community that we are proposing right now, followed by the daycare and over 55 community, some other things going on on the hard corner and, then, Rite Aid across the street and so when you look at this as an integrated whole, the one thing that this development -- this community does not have is any sort of multi-family residential, which is what I think makes it really appealing for this to go into this location, because it really makes it all flow together. Okay. Once again, here is the dotted picture. There is, again, the large variety of residential home styles made with the same quality materials. There is the variety of roof lines and facades. The variation in products. Here we have 24 townhome units, which are the lime green on the southern and the western boundaries. We have 62 one bedroom, one bed, duplexes, which makes it 31 buildings, which are in the purple along the north and along Titanium primarily. We have -- there is 21 two bedroom, two bath, single units in red. There is 16 two bedroom, two bath, units with -- which also have a one car garage. Those are the aqua blue on the east and, Council Member Perreault, to your question, yes, we are making sure they are actually a little bit wider -- the drive aisles are a little bit wider. They will fit all the standards. They

are definitely more than 20. Maybe 24. I'm not sure. But they will fit in there. And Fire has looked at it and has approved that. And, then, there are eight three bedroom, two bath, singles in the royal blue and those are located sort of south of the northern private street, which is Loon Lane. Here you can see -- this is one of the bigger units, the three bedroom, two bath. It does come -- there is eight of these. It's a full 1,300 square feet, which is quite large for this type of development. There is two different roof lines shown here and the three exterior color schemes. Again, these -- all the units come with the same high end amenities. Here, again, is one of the one bedroom, one bath, duplexes that we have discussed and almost half of the units are slated to be these one bedroom, one bath, duplex units. They are really popular. The clubhouse. Again, it's a clubhouse with all of the high end amenities that you would expect in a clubhouse of this nature. It has workspace, a coffee bar, indoor gathering space, a Zoom room for meetings. There is a fitness center. Heading outside there is a community pool with a hot tub, gazebos, and high end furniture -- pool furniture. One thing we didn't have really much time to talk about last time is the garages and carports and so there is -- we meet the code, obviously, and there is -- so, there is at least one covered parking per unit. But, then, they also provide detached garages and each garage has six garage bays and, then, at the end of each garage are additional storage lockers and so there is an additional 16 storage lockers. So, that's a place where people can store their Christmas -- you know, their Christmas ornaments, their various -- their overflow. Their skis. Or are things of that nature. Which makes -- which is just a really nice amenity that's being offered here. Again, the community amenities. We have the qualified amenities, including quality of life, open space, recreation and multi-modal. They do intend and have always intended on putting in EV charging stations. That just got missed on the application. However, in fact, what they do, knowing that EV is becoming more and more popular, is they start with just two or three spaces, but the entire development is -- the infrastructure is put in, so as the demand grows they are able to more easily just pop up those charging stations in the future. So, as you come -- there is a dog park on the northern boundary with the walking path. There is a tot lot adjacent to the swimming pool, which, again, these don't tend to have a lot of kids, but as Mr. Riggs -- as Matt Riggs discussed in the last one, whether you are a grandparent or a young person, it's really nice just to be able to offer that sort of tot lot playground, especially in this location where you are not directly adjacent up to a school where the kids can just run over and go play on the equipment there. The green space located at the corner of Publisher and Titanium includes a community garden and there will be a plaza space. Absolutely. We agree with Bill that we need to get a plaza space between our commercial and our residential, but we are waiting somewhat to see who is the ultimate end user tenant there in order to best design that around everyone's respective needs. The interior amenities, again, are the same as before. They are all very high end. They are very nice. They are the things that you would want in your own home. Here is a parking exhibit. There is a total of 274 parking spaces and if you look here, the covered garages are located in red. The standalone parking garages. The open spaces are the aqua blue. The covered parking -- the carports that are more open are in green. And, then, the internal garages are royal blue. And so you can see there are quite a few homes with those internal garages, as well as the rest of that parking on the property. This does not count and cannot count any parking that's on Titanium Street where there will be the ability to have parallel parking along that street. There is an

additional also 55 commercial spaces -- parking spaces, which, depending on how that develops, that's more than what's required by code currently, but we think it's important to have that extra parking and that extra space. Open space. Here is the open space. One thing that we have added since the last -- since we were in front of Planning and Zoning Commission is along the eastern boundary, that we have added a walking path along there to sort of continue to help with a lot of that connectivity. Also Bill had asked that we put in another -- another connection and move our trash receptacle. That, of course, we can do and you can see that there really are just a lot of walkways and pathways throughout here. With the open space, again, there -- we meet -- we exceed the requirements. And, again, each of these units has private open space that far exceeds what's required -- the 80 square feet that's required by city code, ranging from -- the townhomes, again, have the smallest, just with the 92 to 94 square feet, but the one bedrooms, their total patio yard comes to 509 square feet. Two bedrooms have 598 square feet. The two bedrooms with garage have 648 square feet and the three bedrooms have 681 square feet, which makes -- which is just a really nice amenity for the individuals living here. Okay. Again, we are three miles from this fire station. We have confirmed that all services and utilities are available to the property. Traffic calming. This was a big point of discussion, because many of the people at the senior center to the south and people to the north were concerned about the fact that Titanium is a long street. So, we actually have -- since the exhibit that has been submitted to the city, we have actually added -- in speaking with Bill over the last few days we have added additional traffic calming, including there will be some -- and these are all, of course, subject to ACHD's approval. But this is what we are now currently proposing is something really -- both at the northern entrance that there would be a chicane and, then, at the southern entrance that there would be that narrowing and it's really important -- we spoke with the property owner of the senior center, the development team did, and talked to them about what we could do to help slow down traffic going through there and I believe they are also going to be looking at things on their own property that they could also be doing to better mark the crosswalks for having a street go through the middle -- essentially the middle of their project. So, there are now -- so, there is going to be at all -- each of the entrances, including coming in from the east on Publisher, there will be the traffic calming, the chicanes, the street narrowing and, then, there also will be bulb outs at the main intersection there on the south that you can see. We will use tie -- like painted crosswalks. If we could use raised sidewalks, raised crosswalks we would, but it's really just working with ACHD to get in as much traffic calming as possible, because no one wants this to become a really fast thoroughfare. So, roadway connectivity was part of that big discussion and that it is really important that this roadway connect through. Council Member Overton, to your question as to the percentages, like who is going to go where and how would you get out of here. Well, we have our traffic engineers and they tell us what they think people are -- how they are going to get out of there and generally speaking -- ultimately whether you come out -- in and out of the entrance on Eagle or you go up to Easy Jet and out, 65 percent of the traffic ends up going north, ten percent go south out of there and 25 percent will be using the southern entrance out onto Victory Road. And I think I got through a lot more of that.

Simison: If you can wrap up, please.

Koeckeritz: And that's it. The commercial we touched on and -- thank you. We will stand for any questions. We are in full agreement with the staff's conditions of approval and the Commission.

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

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Elizabeth, I think you are pretty accurate on what I would expect to be on percentages going north, south, east, west. My question is actually to you or to staff. What type of drive through would be eligible to be in that location? For example, would a restaurant, a Jack-in-the-Box be eligible, that's open until 2:00 in the morning or 24 hours a day?

Parsons: Mayor, Members of the Council, currently there is no prohibition on the type of drive through. The DA just says that you can have up to one. But, again, looking at the concept plan, looking at the -- the square footages on that building, we would anticipate changes if that were the case. And I would also mention to Mayor and Council that this drive through is not -- it's -- it's part of the concept plan, but they are still required to go back to Planning and Zoning and get that approved. So, that was not part of this -- this process at this time. And they are aware of that.

Overton: Okay. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I don't have a question, but just an idea on the traffic calming. So, on the landscape plan it shows -- of course, applicants when they submit renderings they always show these big huge trees, like they are going to look like that right away and they don't look like that for 15 years. I would recommend, if you actually do put some of the larger trees, so we know that tree line streets significantly so slow traffic down. So, maybe just consider -- I noticed on your landscape plan that the red trees are intended to be kind of optimal size. They are larger. Maybe consider adding some of those through the main street area on there. They -- they will -- in addition to the other considerations you are making, I don't know if there is -- if there is physical space and on -- you know, in there, but I -- it would be great if that did have a boulevard feel. I don't know that there is space to do that, but the bulb outs I love. I think -- here in downtown Meridian on Main Street we have several of them with landscaping in them and I think they are not only beautiful to look at, but they also really do help with that 25 mile an hour speed limit. So, I thank you for adding that. I think that they -- they make a significant difference and they also just make it -- give it some interest -- some visual interest, too.

Koeckeritz: Mayor, Council Member Perreault, we absolutely can look at what sort of -- getting larger trees in there. We will work with the city forester on talking to them about what we can get into those parkway strips.

Simison: Council, any additional questions for the applicant? Thank you very much. All right. Mr. Clerk, do we have anyone signed up to provide testimony?

Johnson: Mr. Mayor, nobody signed up in advance.

Simison: Okay. Is there anybody here that would like to provide testimony on this item? Or anybody online that would like to provide testimony, you can use the raise your hand feature. No one online is raising their hand and no one in the audience is coming forward. Council, would you like to talk more before we ask the applicant to close? Would you like the applicant to come up and close?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I -- I have a few just concerns that I will state, so maybe you could address those when you close or whatever. So, I -- we really struggle with mixed-use it. It's a pain point for us. We are trying to work through that I think. But this is a really good example of how like that integration of uses is really tough. I almost wish it said like pedestrian integration of uses or something, because if it was something that was highly walkable commercial that connected with the residential, it would make more sense. Like where I'm struggling here with the drive through, I'm just having a really hard time seeing how a drive through is a compatible use with a residential neighborhood that's closed without some more buffering or something. So, I'm not surprised to hear that you have been through so many iterations with planning, because it feels like the ways to tackle it are sticking with residential only or, you know, putting commercial all along Eagle Road and, then, that would give you the ability to have some sort of a different kind of buffer -- accounting, bookkeeping, I'm not as concerned, but I -- I don't know. So, I'm -- I'm struggling with that. I'm struggling with the drive through. I understand that you would come back for -- for permitting for that separately, but I still don't feel comfortable proceeding, because the -- the thresholds for that -- I feel like you are -- you are pretty far down the line once you get to that point. This is different than the other application for a few reasons; right? This is not near an employment center. This is not near transportation. It is near Eagle Road, but is not near any type of other transportation and we do have some overcrowded schools, especially in Mountain View. I would say to the neighbor, though, for those who are listening and those who watch later, in terms of what you could have ended up with in terms of multi-family, this is really nothing compared to the density that it could have been. It could have been a three story building that crammed a ton of apartments in. I mean at least these are townhomes, duplexes, mostly single story all along, you know, where the neighborhoods are, I -- I really do think this is -- if you are going to have multi-family this is the optimal type of multi-family. I agree with

Council Woman Perreault's point about adding some more mature trees. I do -- it's -- you know, because we saw the -- the application before and it maybe would have been better to change the order strategically. I'm sure you couldn't control that. But now I'm like missing the boulevard. Like I wish this had the boulevard now and I'm kind of bummed that we don't have that same kind of a feel. I don't know. So, those are my thoughts. But just wanted to share those before you get up to speak.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Overall I think the development's fantastic. I really appreciate the fact that you have taken into account the one stories on the north and on the east side, to blend into the housing on each side. There -- there is -- the only thing I'm struggling with is in my life I never wanted to be put in a position to approve a drive through to a residential and I don't know that I could. So, I really like the residential piece. I'm okay with the commercial piece. I'm not okay with the drive through aspect of the commercial piece. Other than that I think you have done a fantastic job.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I agree with my fellow Council on concerns over the drive through. I don't think this is an ideal location and -- and just not a fan of folks driving on the private streets for a variety of reasons to get out either direction. But I do have a question for Bill. If I remember correctly, the applicant on the south had intended on putting a drive through coffee spot right there on the hard corner and so I also am not a fan of considering for that reason. I don't know how far along -- they were going to do a daycare and a coffee drive through. I don't know how far along they are in that process, but if that was the intent of this applicant to have a -- a business like that, I think it's already going to be available to that neighborhood.

Parsons: Yeah. Mayor, Members of the Council, Council Woman Perreault, yes, the Starbucks is on the hard corner and that CUP has been approved. But nothing has started -- they haven't started construction of that -- that store yet.

Hoaglund: And Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. When you look at this, you know, you see things later, after development has occurred and you have got to the north the storage units and, then, you got Easy Jet and, then, we go R-8 and, you know, if it's like, boy, if we would have really known things, have this -- everything shoved north and have drive through there and, then, do the multi-family and -- and this -- I echo some of the comments. Yeah. This is well done. Good

amenities. The pictures look very familiar. It is -- it -- it's trying to wrap my mind around a drive through on that and from what I understand, Elizabeth, you said those streets are the same width as a typical ACHD public street, so that does help. It's not a -- not a narrow street. Mayor said earlier -- I think, yeah, Easy Jet, people are going to use that for the -- for the entrance and exit, especially if you are living in that unit, unless you happen to be going out Victory or right turn on -- on Eagle Road. Definitely wouldn't want to try left. I do try to find -- okay, on that drive through and the way it's designed, it -- it -- it is a minimal impact to the -- to the neighborhood with -- with the design. So, that's a good thing. And I thought, well, what if there is something else there -- what if it's another daycare and, then, I thought, wait, traffic, I mean anything you -- you go with that, it just makes it -- makes it difficult and so overall good design, good amenities, all the things that you have done previously are -- are high quality and I think working with the -- the senior facility there to the south to mitigate the traffic speeds, things like that, is very helpful. Just -- yeah, that -- that -- that drive through just kind of makes you scratch your head a bit.

Simison: Any other comments? All right. Then I will ask the applicant to come forward to close.

Koeckeritz: Mayor, Council Members, Elizabeth Koeckeritz still with Givens. So, one of the things that we also struggled with, like many of you are, is the whole mixed-use integration, because it is harder to have someone -- you either have someone who is really good at commercial development and they do commercial development or you have people that are really good at residential development and they overlap to a point, but it's also -- it is, it's more difficult to really fuse the two together in these mixed-use sort of developments. However, in this case we do feel like we did hit a good balance for it. The one thing I'm hearing mostly are concerns about the drive through and that's something where we would certainly be open to limiting in the DA the types of uses that could have the drive through. Like there is certainly -- there is no intention of having a fast food restaurant here. Also with the Starbucks going in on the corner and, then, another coffee shop also on the corner, it just wouldn't make any sense to have that sort of drive through and so that's something that we are certainly open to doing. If we had to we could get rid of the drive through completely. However, then, as plans develop for this site we very likely could be back here again asking for a DA amendment for -- to be able to add that drive through back in the future based on the sort of businesses that we could anticipate coming here. Further, to Council Member Strader's points, there is -- there is maybe not quite as big an employment center right at this location, but there is a lot of employment that's going in currently right on that corner by the Top Golf, by the -- there is -- there is just a lot of big buildings that are going in right there. There is -- I think there is a -- there is a couple different Tommy Ahlquist ones. There is the ICCU building and so there are - - there is becoming more and more employment in this area that will continue to appeal to the people who would be living in this development. The transportation -- it just hasn't been extended to this area yet. That's something that VRT is, you know, constantly working on, constantly struggling with. And the schools -- the schools -- the elementary and the middle school do currently have capacity. The high school is a tough nut to crack, like there is not a lot that we can do with this development to really help that, but we do

know that there are fewer students in these developments than there are in a lot of other developments, just because of the type of people that it really appeals to and to the extent that there are facing single families -- younger families, they tend to also have the younger kids and it looks like there is a little bit of space available in the school for those. They tend to move out of these developments as the kids grow up and the kids get older. I mean these are pretty small and you start looking for the -- more space, the bigger space, the bigger units at that point. And so with that I would once again just say what the -- the Baron team does a really great job on their developments. They -- by owning the project from beginning to the end it really helps alleviate a lot of the other issues and problems that sometimes come with multi-family developments and we look forward to moving this project also forward in the City of Meridian.

Hoaglund: Mr. Mayor?

Koeckeritz: Oh, wait. Could we just take one final --

Simison: Yep. You still have five minutes and 44 seconds.

Riggs: Hello again, Mayor, Council Members. Matt Riggs. 529 West Fordham. You know, we are -- we are really in agreement with I think the discussion around this drive through. You know, we don't want Jack-in-the-Box on the corner of a site where we have 130 homes there. What we showed here was -- in an effort to accommodate a user that needed more of a pharmacy drive through window and, to be honest, our team has -- has gone around and around, along with Bill and staff, about this commercial side of things and, you know, it feels like at times throughout the last year -- plus it's been the tail that's wagging the dog and so I think that, you know, in terms of the commentary that -- that's been, you know, provided today, you know, we are hearing you loud and clear on that commercial pad, not wanting to, you know, put drive through traffic out onto these, you know, private streets. You know, our intention was, you know, to show a -- a concept in detail on here, knowing full well that a CUP would be required and that if we were to move forward with this user we would be right back in front of you in, you know, the weeks and months to come -- you know, months to come. So, long winded way of saying, you know, we -- we have attacked these mixed-use communities in Meridian. We have done two of them so far at Black Cat and Chinden and at Ten Mile and Pine. We have delivered commercial at both of those projects and it's gone pretty well and you may recall we were in here earlier this year refining a -- a similar oriented lot at Black Cat and Chinden where we were taking a -- what was designated to be a two-story building down to a single level building and enhancing the -- the -- the -- the property. So, I think what -- what Elizabeth was alluding to in terms of changing a DA was along the lines of -- our main focus is housing and operating it and making it the best product available for, you know, the people that we think it will serve. You know, St. Luke's and all the employment along 84 and Eagle, being, you know, the first -- the first look at that. But things evolve on the commercial side. You know, we wouldn't go out and speculatively build these pads today. We would engage local brokers to -- to find people that would want to -- you know, want to put their businesses there and, then, design a building, you know, under the parameters that we are putting forth here on the site. So, really, long winded way of saying, you know,

we are still in the very early concepts on the commercial and, you know, we have heard you loud and clear. If -- if it -- if it's a -- you know, one of those non-starters, by all means, you know, it's something that we will take to heart and should thing -- somebody pop up in -- in the months to come wanting, you know, a different use that is commercially, you know, designated, we are going to be right back in front of you as per the process. So, I think that's -- that's really why, you know, I wanted to get up and say, you know, is -- is -- trying to figure it out. I think that Bill's orientation on the -- the plaza space has been great. You know, we have seen that in a couple of our other projects here and it's turned out really well and it does integrate -- you know, our -- our projects -- I think you fail to grasp how well the site walks and how nice of a dog walk it is around -- around these communities and, you know, I think that's the other side is -- is that this is -- it's not the Ten Mile plan, you know, parkway corridor, but, you know, dealing with an ACHD public right of way, you know, really dissecting our -- our site from north to south, I think we are setting up, you know, for a -- a really nicely integrated, you know, project within our own boundaries and, then, you know, to the neighborhoods around us. So, you know, appreciate, again, Bill and everybody at the city working on this one. It's been -- it's been a tricky one in large part because mixed-use community is -- you know, has a pretty broad, you know, range of things it could be and we really enjoyed working with Bill and everybody on trying to hone in and sand and refine, you know, what this project is and how it wants to integrate. I think that the phrase, you know, pedestrian integration is really a good one and one that we have taken to heart. So, that's all I have got. Appreciate, you know, everybody's time, unless I guess there is any other questions.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Matt, just a quick question. On -- on -- if the drive through concept remains -- I know we have done this in other areas of the city where it abuts residential areas, but there is time limits. So, it's 5:00 a.m. to 11:00 p.m. restriction. Any issues with something like that?

Riggs: No. No. Absolutely not. I mean I think we are -- we are going to have, you know, orphans and children right, at -- at this site. We are trying to orient towards little kids going to -- get to the school bus in the morning and, then, what happens after dinner time in the summer at night. So, you know, if -- if our chief operating officer, who handles all things product and operations were speaking, she would -- she would be standing on the hood of the car saying that's absolutely okay, so --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. You had mentioned the drive through pharmacy concept. I don't know if that was just something you threw out as an example or you actually have gone

down that road with -- with a possible buyer or tenant, but there is a pharmacy, a Rite Aid across the street and, then, there is one a mile south. So, is that -- was that --

Riggs: Yeah. No.

Perreault: -- legitimately something that's being considered or was just an example?

Riggs: No. Mayor, Council Woman, that -- that was -- we have had legitimate letters of intent from another national pharmacy group. You know, they study your city very closely and they circle corners where they want stores and so it's a group that's in town. It's nationally recognized. And when we got that call our eyebrows raised, too, saying, hey, their number one competitor is literally, you know, a pitching wedge away from -- from us here. So, you know, it's one of those -- it's by no means final and, honestly, I -- I don't hold my breath with, you know, some of these larger, you know, national companies on - - they just take a long time, you know, and have a lot of meetings to -- to plan meetings if you will. So, I -- I think it's something that we talked about with -- you know, with staff because we had real interest there, but it hasn't materialized beyond them inquiring and -- and running some demographic studies that they run internally. So, again, I think we are approaching this knowing full well that when we decide to build on the commercial, you know, we will be refining concepts and plans and answering a lot of the -- the questions that come up in any development. So, we are doing the same on -- on our other two projects right now, just a little further along on those.

Simison: Okay. So, Council, we need to do a hard stop in the next few minutes and, then, we will come back after about a 20 minute recess. So, not knowing how much more questions there are for the applicant -- I know -- I see Councilman Borton, you unmuted. If you wanted to -- just since you are not here in the room.

Borton: Sure. Just a quick comment. I think the -- the comments from my colleagues regarding the drive through I think are spot on. I think you are -- Elizabeth's acknowledgement and concession that a DA provision to prohibit drive-throughs I think is most appropriate. I think it sounds like that's acceptable and -- and if that necessitates a future DA modification request based upon a particular user, I would rather have Council address that based upon the merits at that time. But for the purpose of this application, to simply have DA condition that prohibits drive-through use, I think the reasoning is well laid out by the Council Members and -- and your presentation and I think it's truly supportive of the pedestrian purpose and -- and focus of this development. So, I wouldn't want to leave it to a future CUP. I -- I think it's best to prohibit it in the DA and allow that to be modified if necessary at some future date. Because I do like the application overall, but just wanted to put a comment in after the drive through.

Simison: Right. Well, why don't we go ahead and take a break until 9:25 and we can continue at that point in time. So, we will stand in recess.

(Recess: 9:07 p.m. to 9:25 p.m.)

Simison: All right. So, we will come back from recess. The applicant was up there. I don't want to shortchange anybody if we have any additional questions or comments for the applicant or if the applicant has anything further they would like to say from where we were at the end of our last conversation.

Koeckeritz: Elizabeth Koeckeritz. Givens Pursley. 601 Bannock with Baron Properties. One thing that I was just speaking with the applicant team about and had just also mentioned it to Bill, was one of the other options -- because this is a really sort of difficult -- well, it's just -- it -- it doesn't necessarily -- I feel like we have done a really good job of making this flow work, but that the other option would be to -- we would be comfortable also eliminating the commercial and just going with residential throughout this site. The overall mixed-use community FLUM has all of the different components that are really needed for an overall mixed-use community and that's something where if Council was amenable to that idea, which in a lot of ways would make a lot of sense, we would just ask to have about a month long continuance to three weeks. We would probably be done in about two to three weeks and come back and present something of that nature to City Council. That would be something else that we would certainly like to explore. Are there any questions?

Simison: Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Question for staff. On -- on something like that -- I mean it's mixed-use, we do have, you know, commercial to the south. Are we talking per site, you know, type of thing, per development application, or is it the area? I mean these are conversations I think we have had before and different things and what's our -- what's our latitude on something like that? Because that certainly is a possibility to -- to go with that, not have the drive through, not have the commercial and the varying amounts of traffic that occur with something like that. So, what's staff's perspective on that?

Parsons: Mayor, Members of the Council, you know, my opening remarks and my presentation I -- I try to kind of set the table for you on that and looking at a -- a broader - - a bigger area to let you know that there are a mix of uses, because, quite frankly, we struggled a little bit with it as well trying to get it -- get them to fit in here and integrate well. As you know, we are trying to improve on that and make the changes to our comp plan in the near future, but, again, from my perspective as a staff member working on this, I'm -- I am open to that suggestion. I think looking at the 50 acres of mixed-use community, we do have a mix of uses, so we can make those findings to that effect and certainly that's within your purview as well, if you feel that there is a mix of uses in the area, because we do have a daycare just directly to the south of this project, along with that restaurant use, along with some other commercial that's going to happen -- another commercial site there. We have the assisted living facility. So, you can see just right there and, then, immediate vicinity we have three different land use types consistent to what the plan calls for. Again, it's nice to have some of those neighborhoods serving

uses. To your point there is a lot of employment north of this, but at the same time if -- if Council believes that this should be developed as one single use, that's certainly within your purview and the comp plan does allow for you to look at that on a case-by-case basis and, again, staff is amenable, but we would need time to get all the necessary documents and continue this out and really analyze it for you.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, I guess Bill -- right before we started up again Bill asked if we needed to remand this if that was the direction of the Council and I don't believe we need to remand it. But I don't know -- if we take out the commercial how much additional residential units are we talking about? Clearly nobody in the neighborhood -- I mean although there is a lot of letters, I -- no one in the neighborhood is here to testify and not that that means anything, because there is a lot of testimony in the record from neighbors. I don't know if adding more residential -- I don't know the amount, so I can't tell you if it's a fairly minor amount of change. We have allowed some increase in density in other ones, but it's usually been fairly small. So, I guess my suggestion if we are going to continue it and redesign at least that portion of the commercial that fronts Eagle Road from the small commercial and -- and a drive through, that we re-notice it at least. So, that way there is an opportunity for neighbors -- and, again, there is quite a few letters in there and talking about traffic and access and things like that. Again, I'm not sure how much acreage we are talking about, because I don't know how many units it is, but I would at least like the opportunity to -- for us to re-notice it. So, at least we have made the public aware that there is a suggested change, because it is merely a recommendation from P&Z.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I -- I would prefer to keep the -- the commercial in, because in my opinion there is a shortage of neighborhood services on the south side altogether and I think that also helps to keep trips away from the Eagle and Overland intersection where we are really hitting capacity. So, I -- I don't know why it's named Artisan Victory Market. I kind of made the assumption that there was going to be a little grocery store or something there, which I was actually super in favor of. I was hoping that's what they were going to tell us, because I -- I really would like to see some neighborhood uses that will keep folks off of the already very -- very busy intersections to the north and also I have a question for Bill. Did I see that there is going to be multi-family applications just north of the storage units over kind of by where T-Mobile was and I think there is going to be -- I thought I saw two applications come through that are pretty significant amount of units. Am I -- I see a lot of them come through, so I don't know if I'm imagining it, but I thought for sure there was going to be some large multi-family that's being considered just north of the storage units.

Parsons: Yeah. Mayor, Council Woman Perreault, there was an application that was withdrawn.

Perreault: Okay.

Parsons: I know the Citibank property, they have a remnant piece that they are trying to sell off and we have -- we have had pre-application meetings on that, but there is no active or pending application on that site at this moment. The other option, too -- and -- and -- and I -- I don't know what the rest of the Council's opinion is on keeping the commercial, but, again, if you don't like this building footprint and you really want to stick to that neighborhood flavor, the -- maybe the applicant would be amenable to doing another smaller, multi-tenant building like the northern building and remove it -- removing that drive through component and making it smaller serving commercial. So, you -- you do try to minimize some of those impacts. But just -- there is some other options there that you could take into consideration if -- if the Council is wanting to -- to keep that component. As I was mentioning, you know, even back to Mr. Nary's point, you know, currently we have this noticed as commercial and residential, not all residential. We have it noticed as a plat with commercial lots and not all residential lots. So, there is a lot of things that we have to take under consideration if -- if the commercial does get pulled out and want to make sure we do it right. But I do like the suggestion of re-noticing it, but make sure that we have -- we work with the applicant, give them adequate time frame, and, then, make sure we get the revised documents, so that it can go along with that re-noticing. So, I'm not sure if that can all be accomplished in a month or not to keep with the noticing requirements.

Borton: Mr. Mayor?

Simison: Mr. Borton.

Borton: Does this conversation presume that the applicant isn't accepting what we left off with? And if an application like this were to proceed that a DA condition removes drive through components? Is that -- are we being told that's not acceptable by the applicant and so there is two pivot options?

Simison: Yeah. I think we are just exploring options if a drive through is not an option.

Borton: Well, one of them, Mr. Mayor -- one is you could proceed with the application as presented and have it -- have that DA condition. But the question goes to the applicant that if that were to be the case, are they telling us now that that to them is not a viable option under any circumstance? So, if that's the case let's -- let's hear that and we can pivot to -- do we need to continue it to redesign this commercial component that we want to retain in some form or fashion or continue it to eliminate it and bring back residential with re-noticing? So, I think those two latter options presume that the applicant is telling us today they won't agree to a DA condition that removes that. I just haven't heard him say it, so give him a chance to comment on that.

Koeckeritz: Mayor, Council Member Borton, the DA term is not ideal. It's not preferred. But it's -- it is viable. The project is still viable. It's just -- it would just -- it's just not nearly as preferred an option as either limiting the uses, limiting the hours, having conditions that limit the uses, limit the hours or pivoting completely to residential.

Borton: Sure.

Koeckeritz: However, to have this project approved it is something that it is viable and it is something that we could do. It's just the least preferred of the options that have been --

Borton: Got it.

Koeckeritz: -- sort of discussed so far.

Borton: Mr. Mayor, just a question on that point. Totally understandable. We have had difficulty in other scenarios where you try and condition drive-through requirements to such a degree that they basically don't really -- you know, so long as you don't drive through them they are great. Well, we don't want to condition them away. If the reality is this should be commercial without a drive through component, let's just say it and if you are -- and if your team says if that were the case and you still want commercial in the southwest corner, let us tweak it a little bit and we will have some neighborhood commercial element there. It might not look exactly like what's here, but we can still have commercial, but do you think that's a preferred option that you think it could be best presented with some adjustments, knowing that there is no drive through?

Koeckeritz: Mayor, Council Member Borton, I think that it would be preferred to keep the larger -- the one larger unit and, then, the smaller five or six complex versus doing more of the smaller neighborhood units --

Borton: Okay.

Koeckeritz: -- just from the sort of tenants that are more likely to be interested and the one thing is that the tenant that they have had discussions with is really interested in having a drive-through option that can be limited on certain hours and times a day and lighting and all of those things.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I have a question about that. Are you saying that the potential tenant and set up with them would work to limit the hours of the drive through or the hours of the establishment itself? Because that's kind of a distinction.

Koeckeritz: The -- certainly the hours of the drive through.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. Just like to reflect on that; right? So -- I mean if it's an establishment that's open 24 hours a day, the drive through is closed, I still -- I still don't -- I'm like struggling with how that fits into this neighborhood. If it was neighborhood serving uses I think that would make more sense; right? Like a bookkeeper is not going to be open 24 hours a day.

Parsons: Mayor, Council, just to give you some code context on that.

Strader: Yeah. That would be great.

Parsons: So, the C-C zone hours of operations are limited between 6:00 a.m and 11:00 p.m. because of its adjacency to residential uses. So, it will be capped. It's -- I think to Councilman Borton's commentary is like do we want to restrict it even further than that and hold them to 6:00 a.m. to 10:00 p.m. or something to that effect. Or even 7:00 to 10:00 p.m. or something. That would be the -- I think that's where Councilman Borton was getting at. But right now they are going to be restricted regardless, unless they go through a CUP for extended hours is how the code reads.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you, Bill, for telling me that. I did not realize. I appreciate it.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Elizabeth, we could, you know, continue this to June 20th. If re-noticing is required that be the earliest we could -- we could do this and that would allow I think your team enough time to talk through this, decide what the best plan is for you. I -- I certainly understand some small commercial may not work. I mean it's just -- that's difficult and we know things are going the drive through route. That's what a lot of people want, so -- and maybe the option is, you know, the residential, but with the re-noticing that would allow the neighborhood to engage and understand what's happening and -- and why. So, we can continue to June 20th and I will let you guys talk it over and decide and work with staff and meet all the time frames and everything and -- and, then, we pick it up from there. Is that okay with -- with you folks?

Koeckeritz: Yes.

Hoaglund: Okay. Well, Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Unless there is further -- further discussion on the topic, I would move that we continue the public hearing for Artisan Victory Market, H-2022-0066, to June 20th and that this project would also be re-noticed for that -- for that date.

Overton: Second.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just -- I don't know what -- what route you guys are going to go to present, but there were some aspects of the boulevard feel from the last application that were really nice I think you -- you have the opportunity to include here. I would just suggest that you think about that. I'm like -- it wasn't really like a roundabout, but like some of those elements would slow traffic quite a bit. So, just something to think about.

Simison: Okay. And if I'm -- I don't want to speak for everybody, but if the first option is preferred, no drive through and a return item -- I understand there was questions about hours, but is that the -- just want to give the -- the applicant some guidance on this item. Is that correct? Is that the Council's hopes, that there is not a drive through in what they see back here?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I know it's not ideal for the applicant, but I agree with Councilman Borton that I would prefer that -- that it be removed and, then, there would be a DA modification required, so that it does come back in front of Council and not just to have a CUP. In this particular situation, because the drive through is so close to residential, I wouldn't always necessarily, you know, think -- think that we need to do that. But in this case that would be my preference.

Simison: Okay. All right. Thank you. Hopefully that helps in your preparations. So, with that all those in favor signify by saying aye. Opposed nay? The ayes have it and the item is continued. Thank you.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Simison: Council, with that anything under future meeting topics or a motion to adjourn?

Hoaglund: Mr. Mayor, I move we adjourn.

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

MEETING ADJOURNED AT 9:44 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

_____ MAYOR ROBERT SIMISON	_____ DATE APPROVED
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ATTEST:

CHRIS JOHNSON - CITY CLERK