

A Meeting of the Meridian City Council was called to order at 6:01 p.m. Tuesday, March 11, 2025, by President Luke Cavener.

Members Present: Luke Cavener, Liz Strader, John Overton, Anne Little Roberts and Brian Whitlock.

Members Absent: Robert Simison and Doug Taylor.

Others Present: Chris Johnson, Bill Nary, Sonya Allen, Linda Ritter, Kyle Ludwig, Steve Taulbee and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Brian Whitlock
<input checked="" type="checkbox"/> Anne Little Roberts	<input checked="" type="checkbox"/> John Overton
<input type="checkbox"/> Doug Taylor	<input checked="" type="checkbox"/> Luke Cavener
<input type="checkbox"/> Mayor Robert E. Simison	

Simison: Good evening. It is 6:01 on March 11th, the time we have noticed for our Meridian City Council meeting. I will begin tonight's agenda with roll call attendance. Mr. Johnson.

PLEDGE OF ALLEGIANCE

Cavener: Great. Next up is the Pledge of Allegiance. Will you all stand and join me in the pledge.

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Cavener: Council, I know our community invocation speaker was unable to make it this evening.

ADOPTION OF AGENDA

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

Strader: Council President?

Cavener: Council Member Strader.

Strader: One small change. We will go ahead and vacate the last item, the Executive Session per Idaho Code 74-206(1)(b). We have already completed that. With that change I move that we adopt the amended agenda.

Overton: Second.

Cavener: Moved and seconded. Any discussion? All in favor? Any opposed? The chair is an eye and the motion passes.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

PUBLIC FORUM – Future Meeting Topics

Cavener: Public forum. Mr. Johnson, has anyone signed up to testify this evening?

Johnson: Mr. President, there are no sign-ups.

ACTION ITEMS

1. Public Hearing for Ordinance 25-2075, Updates to Title 2, Meridian City Code, Regarding Commissions and Committees

Cavener: All right. Moving right along, then, to Action Items. First up is Item No. 1. This is a public hearing for Ordinance 25-2075. We will turn this over I assume to you, Mr. Nary?

Nary: Yes, Council Member Cavener. So, this is the second opportunity for the public to weigh in. This is a code update that we have done. We have done a couple presentations. We have had a public hearing last week for an opportunity. Basically this is an update to our city code in relation to our commissions and committees and memberships and how the operations of those all function and a few other changes within the Title 1, but other than that fairly -- fairly mundane types of changes, but this was just a second opportunity in case there was anyone from the public. We haven't received any written comments that I'm aware of or any additional comments since the presentation.

Cavener: Great. With that, then, Mr. Johnson, has anyone signed up to provide any testimony?

Johnson: Mr. President, no.

Cavener: All right. We do have the second and third combined reading as an ordinance later on in our agenda. Council, what's your pleasure?

Overton: Council President?

Cavener: Council Member Overton.

Overton: I move that we continue the public hearing for Ordinance 25-2075 until next week, March 18th, 2025.

Nary: Mr. President?

Cavener: Yes.

Nary: Mr. President, Council Member Overton, we could actually close the hearing tonight if you wish and do the second and third reading and approve the ordinance if you would like to.

Overton: Council President, I would like to withdraw that motion.

Cavener: Unless there is objection we are good with that. Perhaps a new motion.

Overton: Mr. President, new motion.

Cavener: Council Member Overton.

Overton: I would like to combine the second and third readings this evening and close the public hearing for Ordinance 25-2075.

Little Roberts: Second.

Cavener: Moved and seconded. Any discussion? All in favor say aye. Any opposed? Chair is aye and the motion passes. We will close that public hearing and we will take up the ordinance reading later on in our ordinance section.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

2. Public Hearing for 965 E. Ustick Rd. (H-2024-0063) by Mussell Construction, Inc., located at 965 E. Ustick Rd.

- A. Request: Annexation of 1.11 acres of land with an L-O zoning district with a request for City Council approval of a reduced buffer to residential uses from 20 ft. to 8 ft. 10 inches.

Cavener: Next is Item No. 2. This is a public hearing for 965 East Ustick Road by Mussell Corp Construction. We will turn this over to staff. Sonya, I think you are up first.

Allen: Thank you. The first application before you tonight is a request for annexation and zoning. This site consists of .9 acres of land. It's zoned R-1 in Ada county and is located at 965 East Ustick Road. The Comprehensive Plan future land use map

designation is medium density residential. Dwelling units at a density of three to eight units per acre are typically desired in this designation. However, the Comprehensive Plan does state that at the discretion of City Council areas with a residential comprehensive plan designation may request an office use if the property only has frontage on an arterial street or section line road and is two acres or less in size. In this instance no ancillary commercial uses are permitted. The subject property meets the criteria. This caveat applies solely to office uses. Per the UDC office use is classified as professional services and healthcare or social services and does not include other nonoffice uses typically allowed in the L-O district. The applicant is requesting annexation of 1.11 acres of land with an L-O zoning district. A conceptual development plan was submitted as shown for the expansion of the existing 2,259 square foot home to an 8,000 square foot multi-tenant building with associated parking, drive aisles, walkways and landscaping. As noted it -- at the -- it's at the City Council's discretion to approve the requested L-O zoning in the medium density residential future land use designation. One access is proposed for the site via East Ustick Road, an arterial street. No other accesses are available to this site from adjacent properties. A 25 foot wide landscape street buffer is required along Ustick Road and a 20 foot wide landscape buffer to residential uses is required in the L-O district along the west, south and east boundaries of the site. The applicant requests City Council approval of a reduced buffer width to residential uses from 20 feet to eight feet ten inches along the west boundary of the site. The required buffer is provided along the south and east boundaries of the site. Conceptual building elevations -- perspectives were submitted as shown for the proposed addition to the existing structure. The Commission recommended approval with the development agreement that limits future use of the property to professional services and healthcare or social services. Kent Mussell, the applicant, testified in favor at the Commission hearing. No one testified in opposition. Todd Powell commented on the application. And written testimony was received from the applicant Ken Mussell -- Kent Mussell in agreement with the staff recommendation. There was one item of discussion from Todd Powell. He had questions pertaining to the width of the buffer proposed along the southern boundary of the site and activity on the property to the east under the same ownership. Staff confirmed the reduced buffer width is only requested along the west boundary of the site. The buffer width along the southern boundary exceeds the minimum required buffer width at almost 30 feet. The applicant stated they are planning to flip the residential house on the adjacent property to the east and that they have no intention of it being part of this development. The Commission had no changes to the staff recommendation. The only outstanding issue for Council tonight is the applicant's request for a reduced buffer to residential uses along the west boundary. There has been no written testimony since the Commission hearing. Staff will stand for any questions. The applicant is here tonight.

Cavener: Council, any questions for staff?

Strader: Council President?

Cavener: Council Woman Strader.

Strader: Just wanted to double check that the west boundary buffer reduction was ten feet eight inches and not eight feet.

Allen: Council Woman Strader, I believe -- did I say ten? It's eight feet ten inches. Did I say that backwards?

Strader: So, you mentioned eight feet.

Allen: Oh, I did say it backwards. Eight feet ten inches.

Strader: So, it is eight feet, not ten feet.

Allen: Eight feet ten inches. I will have the applicant confirm that.

Strader: Okay.

Allen: I can look in my staff report as well. But I did say that in different ways.

Strader: I have the staff report in my computer, too. I can --

Allen: We will confirm that.

Strader: Okay.

Allen: Thank you.

Cavener: Council, questions? Sonya, the amount of parking that this project is slated to have, is that the amount of slots that are required because of the zone or is this built out as more parking than is required -- than is required?

Allen: There is more parking than is required. I believe. I can get those exact numbers. They are in the staff report. A minimum of 16 spaces are required and a total of 37 spaces are proposed.

Cavener: Thank you, Sonya. I appreciate that.

Allen: And, then, just to confirm, the buffer width they are requesting is eight feet ten inches. Thank you.

Strader: Perfect. Thank you.

Cavener: All right. If there is no questions for staff we will invite the applicant up. Is the applicant here? Good evening, sir. Thank you for joining us this evening. If you could, please, state your name and address and you are recognized for 15 minutes.

Mussell: Okay. Good evening, Council. My name is Kent Mussell. My address is 1209 North Meadowglen Avenue. That's here in Meridian. And I'm representing Mussell Construction. We are the developer for this project. Last year we brought a similar version of this project before Council. I think some of you were here and might remember that. That proposal was similar to this one. It was for a local charter school Pathways In Education. At that time our hearing was continued. Ada County Highway District had been significantly delayed in providing a report on that project, which was the main thing that we needed for Council to be able to vote and that was a requirement that we have that by Idaho statute. In the interim Pathways needed a location by fall of last year in order to fulfill the requirements of their charter and so we had to change their plans. We got them moved to Boise, kind of by the Y. But as a result of those changes the project was cancelled and we withdrew that application. The key difference in our current proposal is that Pathways is no longer the intended tenant. Despite that change our building and design remain very similar. We intend to develop the existing home on the one acre parcel for light office use. Our proposal includes renovating and expanding the existing structure resulting in a total area of approximately 8,000 square feet. We are seeking annexation into Meridian under the limited office zone and we agree with staff's requirement that a development agreement be included to restrict the uses to professional services or healthcare offices or social services. And, then, as was mentioned we are requesting that reduced landscape buffer. You will -- I don't know if we can see it on the site plan here. Let's see. That west boundary is an irregular shape and so let's see if I can get it -- get to that page. There we go. The narrowest point of that boundary is -- is at eight foot ten. And, really, the issue here is that with the required parking dimensions and the existing structure that it is what it is without demolishing the existing structure. I think that's all I have to say for the moment. I will yield my time and I will stay available for any questions.

Cavener: Great. Thank you, Mr. Mussell. Council, any questions for the applicant?

Little Roberts: Mr. President?

Cavener: Council Member Little Roberts.

Little Roberts: Mr. President. Kent, thank you for being here. From our last conversation probably the biggest current concern with Council was the traffic coming in and out, especially because I think the school kind of had certain times that there would be more traffic. Does doing this building differently mitigate that time frame with a lot of traffic going in and out at the same time? Are you looking at -- enough multiple tenants that maybe things will be spread out more traffic wise?

Mussell: Yeah. Thank you for the question. I think a big difference here is that, you know, we are -- you know, a school is going to have a much higher occupant load than -- than an office would and we are -- we are seeing like a dentist office or a law office or something like that in this location. We -- you know, we are just trying to kind of salvage the investment that we have here and so we don't have a tenant yet. We kind of want to get the shell building built and, then, advertise for tenants here. But we have the

restrictions in place. I do have some footage of the traffic on Ustick in this area if you guys want to see that. I mean maybe -- maybe I will save that until after public testimony, unless you guys request it. But, yeah, I think -- I think with -- with office use it's just, you know, a much smaller number of people coming to and from the property and I remember a year ago a big discussion was about the specific people that were coming to and from the property. You know, there was concern about kids in particular driving to and from the property. With that said I mean I think that's a good reason why this property is uniquely suited for light office use. You know, homes have kids driving to and from them also and it's true that this -- this building is like -- something like 30 feet away from Ustick Road and -- and it is -- it is a busy road. The speed limit is 40 miles an hour. I hope that answers some of the question.

Little Roberts: It does. Thank you.

Cavener: Council, additional questions? Mr. Mussell, I -- I do have one. I -- I wasn't tracking necessarily with the -- why the request for the reduced landscape buffer on the west. Said it -- you have got some challenges with the -- with the corner. Can you maybe walk me through what these challenges are?

Mussell: Sure. Yeah. So, you know, the -- the minimum dimensional standards -- Sonya could probably remind us what those are, but I believe it's like 18 or 19 feet deep for your parking stalls, plus 25 foot drive aisles if you have two way traffic. We need a minimum of a five foot sidewalk up against the building and you can see that that's basically what we have provided here. So, the landscape buffer is really just what's leftover by the time -- by the time you include all the elements. The only other solution would be to reduce the parking and -- actually, I wonder if I can address Sonya, because I -- I didn't quite hear the -- the minimum required parking here.

Cavener: Sixteen.

Mussell: Oh, sixteen.

Cavener: Sorry, I didn't mean to -- I try very rarely speak for a staff.

Allen: Yeah. It was minimum 16.

Mussell: Yeah. With -- I mean we can reduce parking in order to maybe get a little more buffer along that west boundary. I -- like I said, the -- the southern portion of it is the eight foot ten portion of it and the northern portion is larger than that. We -- one thing I will note is that the people we have had meet with us and comment with us, they have never been from the western boundary of our -- of our property. I have spoken extensively with the people to the south, who have -- who have attended our first neighborhood meeting and we have had people from across the street present at most of the meetings that we have had. But I -- as -- as far as I'm aware I have not heard from anyone to the west.

Cavener: Council, any additional questions? Thank you, Mr. Mussell. We will probably have you be back up here in a minute. This is a public hearing. Mr. Johnson, do we have anyone to speak on this application this evening?

Johnson: Mr. President, yes. One. Lindy Bower.

Cavener: Excellent. If you wouldn't mind joining us up here. Come on up. That's okay. You know what, you are going to have a blast. So, what we will have you do is when you come up to the microphone just pick any one microphone and you kind of have to eat it and if you would do us a favor of telling us your name and your address and you have three minutes to share your perspective and when you exceed three minutes you will hear a little beep beep and that means it's time to wrap things up.

Bower: Okay. My name -- am I ready?

Cavener: Please go for it.

Bower: My name is Lindy Bower. Oh. I don't need to be that close. My address is 3096 North Timber Falls Way, directly behind that property. Our parking lot is directly behind that property. Their parking lot is directly behind us -- to its right at our border. So, I was concerned when I read that he wanted to change the setback and I -- yeah. Very concerned, because it's eight feet. They already took down all the trees. So, Ustick Road is just right there now. But, anyway, I'm not object -- objecting to him doing what he is doing, except for I don't want to be moved. I don't want any lot lines -- I mean I don't -- what is it, the -- I'm sorry.

Cavener: That's okay.

Bower: I want it to be 20 feet away from me at least. With trees and fence and that's the end of my story.

Cavener: Council, any questions? I -- I have one if that's --

Bower: Okay.

Cavener: Thank you for being here tonight.

Bower: Yeah.

Cavener: What I heard your question -- your concern that you were conveying was that you have some concerns about the reduced landscape buffer and how that impacts your home and you want to make sure that no lot lines are adjusted as a result of this particular project.

Bower: Right. Because we really are very close to this property, so I am concerned about that, because when we go to sell our property that's not good. You know, it's

already not good with Ustick, but we love our house. But I just want to be sure it stays. I don't mind what he is doing. I just don't want lesser land there, you know. That's all.

Cavener: Well, thank you for joining us tonight. Thank you for providing your testimony. You are welcome to sit back down and we will have the applicant come back up and -- oh, unless there is -- I saw more questions. Sorry. Council Member Little Roberts.

Little Roberts: Sorry. Mr. President. Lindy, can you still see on the screen this -- the picture that we are looking at?

Bower: Yes. Uh-huh.

Little Roberts: So, my question is it looks like there is like three trees there. Is that where you are --

Bower: Exactly. That's -- and I'm right behind that.

Little Roberts: But it looks different now. The trees are gone or are those trees --

Bower: Those trees aren't there.

Little Roberts: So, the landscaping isn't done yet.

Bower: No. Oh, no. Nothing's been done like that. Huh-uh.

Little Roberts: Because I -- I -- from my understanding -- and the applicant can clarify -- I think it's the side one that is be -- getting to be smaller, rather than one between your property.

Bower: That's what I want to make sure of. And I appreciate you asking that, because I'm here to make sure that ours doesn't get lessened. I -- we need that space in there.

Little Roberts: And that to me on the map looks like that is remaining, but when the applicant comes back up we will make sure that is clarified.

Bower: That's what I'm trying to figure out. Thank you.

Cavener: Thank you very much. Sonya, did you have anything you wanted to add before we --

Allen: I do. Thank you. I actually looked at Ms. Bower's property and she is directly to the south at the southwest corner of the site. So, she does have approximately 27 feet of landscaping in between their rear property line and this property's rear property line.

Cavener: Thank you. Mr. Johnson, is there anybody else that signed up to testify?

Johnson: Mr. President, no.

Cavener: Okay. This is a public hearing. Is there anybody else here in the room or online that would testify -- would like to testify? You are welcome to join us up front or use the raise your hand feature on Teams. And I haven't looked there, so I'm going to make sure. Okay. Nobody is raising their hand online. Nobody's wrestling to get up here to the front. Mr. Mussell, would you like to provide any closing comments?

Mussell: Thank you. Yeah. I appreciate that Lindy came up to testify. So, regarding the trees along the south boundary, there was a tree. You can actually see the outline of it. There was actually a larger tree on that south boundary and we pruned it a couple times and it ended up dying, so we had to -- we had to remove it. We are planting new trees along that south boundary where those three trees are shown. So, this landscaping plan is mostly new landscaping. Our instructions to our landscaping designer was we want to screen those existing homes as much as possible. That's primarily achieved through like evergreen, like -- like skyrocket juniper type things that get big and bushy and block the view as much as possible. This fence that you see on the screen that was something I had shown to Lindy specifically in our meeting -- at the neighborhood meeting, because we were -- that was like the main focus of that meeting was what kind of fence can we have that would -- that would screen between this property and -- and the neighboring properties. So, this is something we committed to them to do in that meeting and it -- it seems to -- seemed to be acceptable at that time and I think that's all I have left to add.

Cavener: Thank you, Mr. Mussell. Council, additional questions for the applicant?

Whitlock: Mr. President?

Cavener: Council Member Whitlock.

Whitlock: Just a quick question on the southeast boundary moving north. It doesn't quite appear on this schematic to be 20 feet where the parking lot is.

Mussell: Yeah. So, I think that's just a leftover artifact from -- you know, at one point we had a condition on the staff report to stub a cross-access to the east property that went away when we updated our landscaping plan. They didn't eliminate enough of it, but we will achieve the 20 foot buffer on the east boundary.

Whitlock: Thank you. And, Mr. President, just to follow up, please.

Cavener: Council Member Whitlock, please.

Whitlock: And so this type of fence would go on three sides of the property?

Mussell: That is -- that is our plan, yeah.

Cavener: Council, any additional questions? Mr. Mussell, mine I think stays kind of in the -- the landscape -- the reduced landscape buffer request to the west and your indication that you would maybe be open to reducing your amount of parking. Is that something you are supportive of doing? Is it something you are -- you know, would do it if -- if we weren't going to waive your -- your request and I think where -- at least where I come from is I was supportive of doing some modifications where we knew what was coming in. We knew it was going to be a school and some of those requests needed to -- in my opinion needed to be accepted to help support the goal of the school and the operational plan of the school. But this right now is a shall. It's hard for me to say this -- not needing that -- or supporting a reduced landscape buffer makes sense because of what was going to be operating hours, what's going to be going on there, the noise it's going to generate. Not knowing makes me a little reluctant to grant a reduced landscape buffer. I just -- I recognize you are trying to build this to invite somebody to come in, but do you feel like that you are going to need all of that parking? I would rather have there be landscape than asphalt that's not going to be used if you have got a use that's going to require more than the minimum required amount of parking for this facility I'm -- I'm interested in learning more.

Mussell: Yeah. I mean I'm not anticipating a use that would require the 37 spaces. I do think if we eliminated all of the west boundary parking that would be potentially a problem, because that's a lot of parking spaces. I'm wondering if we could maybe do something in the middle, like approve the reduced landscape buffer for maybe a portion of the west western property, maybe 50 percent of it or something like that. I do have a partner here. I should check with him just to make sure we are all in agreement on whether that's something we are willing to do. Do you mind if we have that conversation?

Cavener: Council? Give you a couple of minutes to -- to confer and I can at least maybe share some thoughts with Council and buy you a couple of minutes. So, no problem.

Overton: Council President?

Cavener: Council Member Overton.

Overton: A comment while they are back there working. Just looking at the parking to the south and up against the building I believe it still is about 22 spots, which exceeds the city's required 16.

Cavener: Council Member Overton, you were I think doing the same exercise I was, which was maybe hand counting to -- to make sure that we would still meet our minimum threshold. Council, where I -- I think is, you know, you kind of see at the bottom where the landscape buffer goes what I think is probably close to the -- the 20 feet and so it gives you some sense about how far it could go. I recognize that the applicant's trying to get two way access, you know, and certainly the -- the asphalt helps to create space certainly between the building use and -- and the residential neighbors.

I just -- if given the choice between landscape or unused asphalt I'm going to choose landscape. But, Mr. Mussell is back and may have some more insight for us.

Mussell: Yeah. So, I mean I don't -- I know adding conditions from the dais is a little bit not ideal, but, you know, if we -- I think we would be able to work with ten feet in some portions of this and I think, you know, if we can maybe restrict that eight foot ten to just a portion of it I think we would be okay with that. So, maybe say just approve the -- the reduced landscape buffer to eight foot ten in 50 -- 50 percent of the west boundary and, then, the other 50 percent maybe we go with ten feet. I'm just trying to think of ways to increase the landscaping requirements there without, you know, compromising the viability of the project.

Strader: Council President?

Cavener: Council Member Strader.

Strader: Mr. Mussell, I think it would help -- oh, would you refresh our memory as to who your neighbors are to the west, what feedback you have had, how have you tried to reach out to them to dialogue?

Mussell: Yeah. So, I guess I didn't speak a second ago. We have one neighbor to the west. At the very southern corner to the west we have a neighbor. Her name's Kathy. She has always been really easy to work with and supportive of the project and, you know, she has asked us to trim those trees back there a number of times and we have done that. And, actually, she has the -- the 20 foot next to her property anyway. North of that those neighbors have had ample opportunity, so they have had notifications for two neighborhood meetings, you know, for the previous project and for this project. They have had -- you know, in our -- our Planning and Zoning hearing last time was continued like two or three times. So, they had, you know, a handful of Planning and Zoning public hearings that they could have attended. They could have attended the last Planning and Zoning public hearing and then -- then the two City Council public hearings that we have had and we just haven't heard from them, so -- yeah. Other -- that -- that's kind of the extent of the opportunity that they have had. But, yeah, like most of our discussion has been with our neighbors to the south, including Lindy and Todd and then -- and, then, also, you know, heard a lot from the neighbors across Ustick Road.

Strader: Okay. Thank you.

Cavener: Council, any additional questions? All right. Thank you very much, Mr. Mussell. Council, just for the record I was curious, so I did type in the address into Google Maps, so I could see kind of what surrounds and at least on my screen there -- there is a house that was maybe called 3150 Timber Falls Way that has a pool that is right up next to the landscape -- would be the landscape buffer. So, it gives -- at least gives me a little flavor. There is not a residential use that's right up against it, but at least some outdoor recreation space that would be right up against it. Council,

purview? Deliberation? Additional questions for staff? How would you like to best move forward?

Strader: Council President?

Cavener: Council Woman Strader.

Strader: I would be happy to share my thoughts. I -- I'm actually not as bothered about the reduced landscape buffer at this point on the west side. Actually, just based a little bit on the satellite photo actually as well as, again, I -- I feel like the neighbors have had a lot of opportunities to weigh in and -- and share their opinion. It looks to me like the landscaping -- at least the plantings and stuff that will go in will help quite a bit. Yeah. So, I -- I -- I don't feel as much of a need to reduce the parking necessarily on the west side personally at this point. I also feel like this is a much less intensive use than a school, which is what we were looking at here before. I feel like this is kind of a win-win from the neighbors' perspective, actually compared to -- again, it would have been a lot of intensive traffic at different times. Now you are going to hopefully have more of a drip through kind of consistently throughout the day. But if it does end up being a dentist office or an attorney or something I think that -- that seems like a really good fit compared to the school. So, I'm very supportive of the project as it was presented.

Overton: Council President?

Cavener: Council Member Overton.

Overton: While I was willing to help the applicant do some of the parking spaces that was never a make or break it for me on this application. I -- I prefer this over what we saw last time. I think it's going to flow better. I think it's going to have much better times for how traffic comes and goes from this type of a business than we would have had before and I'm supportive of it at this point.

Strader: Council President Cavener?

Cavener: Council Vice-President Strader.

Strader: I would be happy to make a motion that we close the public hearing at this time.

Cavener: Motion to close the public hearing --

Little Roberts: Second.

Cavener: Motion and seconded. Any discussion? All in favor of closing the public hearing say aye. Any opposed? The chair is an aye as well and we have closed the public hearing.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Strader: Council President Cavener?

Cavener: Council Vice-President Strader.

Strader: You know, just a couple thoughts and, then, I will -- I will make a motion to approve. Again, it feels like a nice project. I'm sorry that your other project fell through, but I think it actually works to the community's benefit overall. So, with that, after considering all staff, applicant, and public testimony, I move to approve File No. H-2024-0063 as presented in the staff report for today's hearing date with the additional modification noting that the City Council will approve a reduced buffer to residential uses along the western boundary of the site from 20 feet to eight feet ten inches. Also noting that the applicant will be planting -- following the landscaping plan and planting the new trees on the southern border and in addition to that that they will be providing the fencing as described along the west, southern and eastern boundaries of the property.

Overton: Council President, just a comment before we get a second.

Cavener: The chair typically does second for the sake of conversation. If maybe, Councilman Overton, if you would make the second and, then, for discussion.

Overton: Second for discussion.

Cavener: Council Member Overton.

Overton: Would the motion maker like to also include that the DA needs to include all future use is limited to professional services, healthcare and social services?

Strader: Absolutely. Could not hurt the situation. Thank you.

Overton: Second agrees.

Cavener: Got a motion and a second for a modified motion. Any further discussion from Council? All right. Mr. Clerk, please call roll.

Roll Call: Cavener, nay; Strader, yea; Overton, yea; Little Roberts, yea; Taylor, absent; Whitlock, yea.

Cavener: Four ayes. One no. And the item passed. Thank you all for being here this evening.

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

3. Public Hearing for Soldier Place Subdivision (SHP-2024-0002) by Kent Brown Planning Services, located at 1323 2 1/2 St.

- A. Request: Short Plat to subdivide an existing parcel consisting of 0.472 acres of land, into four (4) lots (3 building lots and 1 common lot) in the R-15 zoning district.

Cavener: We will now move on to our last action item for the evening, a public hearing for Soldier Place Subdivision, SHP-2024-0002. We will begin this application with some amazing staff comments. Linda, I will turn it over to you.

Ritter: Well, thank you. I love that introduction. So, tonight we are here -- have a request for short plat to subdivide an existing parcel into three buildable lots on .47 acres of land in the R-15 zoning district that is located at 1323 2nd and a half street. All right. There we go. The applicant intends to retain the existing single family attached home on two lots and construct an additional single family detached home and a secondary dwelling unit above the detached garage on the newly created lot. The lots range in size from 3,866 square feet to 6,268 square feet, resulting in a project density of 8.47 dwelling units per acre. Access to the property is provided from a common driveway via 2nd and a half street and the primary residence proposed for Lot 1 will take access from 2nd and a half street as shown on this common drive exhibit. So, it looks like the applicant is proposing a detached garage with an 800 square foot secondary dwelling unit above that garage. So, the applicant will be required to submit an application for the secondary dwelling to be reviewed and approved as it is not part of this application. The applicant will be required to comply with the specific use standards for secondary dwelling and compliance with these requirements will be -- will occur at the building permit submittal. These are pictures of the property as is now. So, this house is not part of the -- the development, but these are the homes that have been built on the -- the property that will be subdivided and this is Lot 1 and this is the common drive that goes to those properties and this is kind of a better view of that property. Pretty straightforward what is being requested. In talking with the applicant they are in agreement with the staff report, so at this time I will take any questions that Council may have.

Cavener: Great. Thank you, Linda. Council, questions? All right. Not seeing any. I see the applicant is here. Good evening, Mr. Brown. Welcome. State your name and address and 15 minutes is for you.

Brown: I guess I'm supposed to eat this is what I heard during the meeting. Kent Brown. 3161 East Springwood, Meridian, Idaho. Soldier Place -- I just asked my client -- I said why did you pick this name and he -- he has a grandson -- grandson and a son both of them recently in the military, recently come back and they are going to live here. I would say that that's probably the reason that he has been willing to kind of endure this process. As -- as you are well aware I do lots of subdivisions and this has been one of the most difficult ones I have done. What you would think for an in-fill where we are trying to get one more lot that it wouldn't be that big a deal and it's not Linda, You know,

Linda is kind of a troublemaker, but she hasn't been on this case. What it is is that this area is in flux. So, it's down the street from Cole Christian. There is no sidewalk in the area. They -- they want sidewalk and yet the plan is to rip up the street and put sewer in it and today the sewer runs behind those two -- that existing building that is in the -- the west side of the site that is at the end of the hammerhead turnaround. So, we used to call them alley sewers. It's clay pipe and not in the best condition and the condition as we talked with Public Works was that they wanted a sewer line to go out to two and a half street where they are not going to be for six plus years for that to be done and, you know, how do you do that? So, with some creativity we are going to go connect to that sewer and allow the -- the -- the homes that are existing and the proposed one on the other lot to service off of the alley. At the same time someday in the future -- 2031 when they finally get the street out to two and a half street we -- over here -- can you do it for me, Linda? We are going to go -- the part that's not a part of our development, we are going to go down that street and we are going to run a sewer line out to two and a half street. So, that sewer line will be active for the portion that's up next to the existing building and, then, in the future we will put a plug in, not connect to the one that's behind us and come out to the street. So, either Mr. -- Mr. Hill and I are two old men that, you know, get a project and we are trying to move forward, but this has had a lot of challenges. A lot more expensive than I think either one of us thought that it would be putting in a sewer -- sewer line. There is an existing one we -- we expected just to connect to the old one. We didn't know anything about the future sewer going in and so we have been working with Public Works over and over again and we -- we have designed the sewer. Public Works likes it. We have designed our frontage with ACHD and they promise that they are not going to RIP up our sidewalks someday in the future, which I -- I didn't notice that taking place in downtown Meridian and what other renovations to your sewer system, water system down, but we will see. It's been a challenge. We are in agreement with the conditions of approval and ask that you approve it so that he can get building permit and get his son on that property that's not built and allow his -- his grandson already lives there, so --

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

Cavener: All right. Not seeing any questions.

Brown: Thank you.

Cavener: Mr. Brown, we will call you back up here in a minute. This is a public hearing. Mr. Johnson, do we have anybody who signed up to testify?

Johnson: Mr. President, we did not.

Cavener: Okay. Not seeing anyone signed up to testify. Again this is a public hearing. Is there anybody in the room or online that would like to testify? If so, please, come up to the podium or use the raise your hand feature online. Not seeing anyone. Mr. Brown, any final comments? Waive final comments? What would you like to do? Sounds like the applicant is waiving final comments. So, Council, turn it over to you.

Overton: Mr. President?

Cavener: Council Member Overton.

Overton: I do notice that we have Public Works in the house and I don't know if they could go over from the city view of everything that Kent has just explained to us and tell us if we are -- if -- if everything that Kent just told us matches up with the city's plan in the future.

Cavener: Good evening, Warren. Thanks for joining us.

Stewart: Thank you. Thank you. Councilman Cavener and the rest of the Council men and women and I'm more than happy to answer any questions that you may have on this and, yes, everything that Kent said is pretty consistent. I didn't hear anything as I was walking down here, but other than that it's pretty consistent. We do have a project in the ten year CFP to put a brand new sewer line down two and a half street. The existing sewer line is in -- and I wouldn't even call it an alleyway, it's just in the backyards of the existing houses along there and we don't even have an easement through some of that. So, our ability to operate and maintain that into the future is not good at all. So, we are going to replace that at some point in the future. That was a concern when these came in, because they wanted to get sewer service. The only service we had at the moment was that very dilapidated and difficult sewer that was going to be eliminated and they have worked with us to find a temporary solution to allow them to connect to that, but also to find a permanent solution that will allow them pretty seamlessly to go back out into two and a half street as soon as we get that done. So, I will stand for any questions that you may have.

Cavener: Thanks, Warren.

Overton: Mr. President?

Cavener: Councilman Overton.

Overton: So, Warren, I just want to -- I really want to just make sure that while we are all in the room together that we all understand that we are looking at an application that's going off a very old sewer line and that it's going to be a number of years before we get a new state-of-the-art sewer line that we would, then, have them hook up to, so -- that was the main reason I wanted you to come up is to reiterate where we are at, how we are doing it and the fact that it's going to take a number of years before we get that sewer built. I appreciate it.

Strader: Council President? And, Warren, if you don't mind staying for a second.

Cavener: Council Member Strader.

Strader: Just wanted to make sure -- you are comfortable that the conditions of approval cover us in terms of that transition at the appropriate time when we do bring the sewer line that they will connect.

Stewart: Yeah. They are going to actually stub it clear out to the right of way. So, when the city builds the sewer main we will build the connection -- the piece that connects to them, so --

Strader: Perfect. Thank you.

Cavener: Great. Any additional questions? All right. Thanks, Warren. Appreciate it. All right. Council, any further questions for staff? A motion is always in order.

Little Roberts: Mr. President?

Cavener: Council Member Little Roberts.

Little Roberts: Mr. President, I would move that we close the public hearing.

Overton: Second.

Cavener: Moved and seconded we close the public hearing. Any discussion? All in favor say aye. Any opposed? Chair is aye. The motion passes.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Little Roberts: Mr. President?

Cavener: Council Member Little Roberts.

Little Roberts: If we don't have any discussion, I would move that we approve Soldier Place Subdivision, 2024-0002 with staff -- staff and our comments.

Overton: Second.

Cavener: It's been moved and seconded. Any discussion? I will just say I always look for an opportunity to vote no on an application Mr. Brown brings. I was moved to do that when he tried to poke a joke at me while I'm trying to chair the meeting, but this project means a lot to you, sir, so I will -- I will keep my personal opinions to myself tonight. Mr. Johnson, feel free to call roll.

Roll Call: Cavener, yea; Strader, yea; Overton, yea; Little Roberts, yea; Taylor, absent; Whitlock, yea.

Cavener: All ayes and the motion carried. Thank you all for being with us this evening. Good luck with your project.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

ORDINANCES [Action Item]

- 4. Second and Third Reading of Ordinance 25-2075: Repealing and replacing Title 2, Meridian City Code, regarding commissions and committees; amending Meridian City Code section 1-6-5, regarding Compensation Committee; amending Meridian City Code section 1-7-9, regarding Compensation Committee; repealing Meridian City Code Section 1-7-11, regarding Meridian Districting Committee and City Council districts; repealing Meridian City Code section 10-7-11, regarding Impact Fee Advisory Committee; repealing conflicting ordinances; and providing an effective date.**

Cavener: Moving on to our Ordinance section. Item 4. Second and third reading of Ordinance 25-2075. Mr. Johnson, I will turn it over to you.

Johnson: Thank you, Mr. President. This is an ordinance repealing and replacing Title 2 of Meridian City Code, regarding commissions and committees; amending Meridian City Code Section 1-6-5, regarding Compensation Committee; amending Meridian City Code Section 1-7-9, regarding Compensation Committee; repealing Meridian City Code Section 1-7-11, regarding Meridian Districting Committee and City Council districts; repealing Meridian City Code Section 10-7-11, regarding Impact Fee Advisory Committee; repealing conflicting ordinances; and providing an effective date.

Cavener: We have all had the chance to hear this introduced. Would anybody like to hear this ordinance read in its entirety? If not for a motion.

Overton: Mr. President?

Cavener: Council Member Overton.

Overton: This was a combined reading of second and third reading of this ordinance and at this moment I would like to make a motion to approve Ordinance 25-2075.

Little Roberts: Second.

Cavener: It's been moved and seconded. Any discussion? Just real quick, Council, I want to commend you and our legal staff on this. I think we have moved into a very good process with these code changes, giving ample time to review, ample time for the public to provide feedback. I know it is probably not efficient from a time standpoint, it feels like we have been talking about this one for months, but I think a slow and steady pace is the appropriate approach. Just want to thank you for being supportive of that. With that, Mr. Clerk, feel free to call roll.

Roll Call: Cavener, yea; Strader, yea; Overton, yea; Little Roberts, yea; Taylor, absent; Whitlock, yea.

Cavener: All ayes. Motion passes.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

- 5. Ordinance No. 25-2077: An ordinance (Addison Circle Subdivision – H-2024-0040) annexing a parcel of land located in the northeast quarter of the northeast quarter of Section 33, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described in Exhibit “A”; rezoning 1.87 acres of such real property from RUT (Rural Urban Transition) to the R-8 (Medium-Density Residential) zoning district; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date.**

Cavener: Move on to Item 5. Ordinance 25-2077. Turn this over to Mr. Johnson.

Johnson: Thank you, Mr. President. It's an ordinance Addison Circle Subdivision, H-2024-0040, annexing a parcel of land located in the northeast quarter of the northeast quarter of Section 33, Township 4 North, Range 1 West, Boise meridian, Ada county, Idaho, more particularly described in Exhibit “A”; rezoning 1.87 acres of such real property from RUT to R-8 zoning district; directing city staff to alter all applicable use and area maps as well as the official map and zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date.

Cavener: We have had the opportunity to hear. This was introduced by our clerk. Would anybody like this ordinance read its entirety? Seeing none, Council, for a motion.

Overton: Mr. President?

Cavener: Councilman Overton.

Overton: I would like to make a motion that we approve Ordinance No. 25-2077.

Little Roberts: Second.

Cavener: It has been moved and seconded. Any discussion? Mr. Johnson, feel free to call Roll.

Roll Call: Cavener, yea; Strader, yea; Overton, yea; Little Roberts, yea; Taylor, absent; Whitlock, yea.

Cavener: All ayes. The motion passes.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

FUTURE MEETING TOPICS

Cavener: Future meeting topics. Council have anything flagged? Okay. Council, maybe just two quick indulgences if you will. Just want to commend our -- our police and fire. We have been getting updates about the many calls that you guys have been on the past couple weeks. I know that you guys are being sought for your help and assistance on a fairly -- more frequent beyond regular basis. Just want to pass on our appreciation to you and your colleagues for all the great work that you do. And, then, Council just real quick, this is going to get me going. Wow. Tomorrow is -- ooh, did not expect -- my son's 18th birthday and when I came to very first work for the city he was just 15 months and it's hard to believe that tomorrow he is turning 18 and I just -- wow, this was not expected. Apologies. I just want to wish my son a very happy 18th birthday. So, thank you for that, Council. Wow, I did not realize I was going to need tissues tonight. But we vacated the Executive Session. So, Council, a motion to adjourn.

Strader: I move that we adjourn.

Little Roberts: Second.

Cavener: Motion -- motion and second. All in favor? Aye. We are adjourned

MOTION CARRIED: FIVE AYES. ONE ABSENT.
MEETING ADJOURNED AT 6:53 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

_____/_____/_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK