

A Meeting of the Meridian City Council was called to order at 6:01 p.m., Tuesday, January 17, 2023, by Mayor Robert Simison.

Members Present: Brad Hoaglund, Joe Borton, Luke Cavener, Liz Strader and John Overton.

Members Absent: Jessica Perreault.

Also present: Chris Johnson, Bill Nary, Bill Parsons, Stacy Hersh, Shawn Harper and Dean Willis.

ROLL-CALL ATTENDANCE

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

Simison: Council, we will call the meeting to order. For the record it is January 17th, 2023, at 6:01 p.m. We will begin this evening's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: It looks like we do not have anyone here for the community invocation.

ADOPTION OF AGENDA

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

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: No changes on the agenda for this evening, so I move adoption of the agenda as published.

Cavener: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the January 3, 2023 City Council Work Session**
- 2. Approve Minutes of the January 3, 2023 City Council Regular Meeting**
- 3. Findings of Fact, Conclusions of Law for The Bridge at The Village at Meridian (CR2022-0007) by Meridian CenterCal, LLC, for Property Located at 3210 E. Longwing Ln.**
- 4. Findings of Fact, Conclusions of Law for Sessions Parkway (H-2022-0046) by KM Engineering, LLP. located at 2700 N. Eagle Rd.**
- 5. Cost Share Permit for Ada County Highway District Project 522029.001 - Stoddard Road, Victory Rd. to Overland Rd.**
- 6. Approval of Purchase Order #23-0175 to Berry, Dunn, McNeil & Parker, LLC for Grant Management Services for the Not-To-Exceed amount of \$150,000.00**
- 7. Resolution No. 23-2368: A Resolution Approving a Farm Lease Agreement Between the City of Meridian and Louie Asumendi Concerning Approximately Forty (40) Acres of Real Property Located on N. Ten Mile Road, North of W. Ustick Road, in the City of Meridian, Idaho; Authorizing the Mayor and City Clerk to Execute and Attest Said Farm Lease Agreement on Behalf of the City of Meridian; and Providing an Effective Date**
- 8. Farm Lease Between the City of Meridian and Louie Asumendi for farming of 40 acres of City owned land adjacent to the Wastewater Resource Recovery Facility for 2023**

Simison: First item up is the Consent Agenda.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglund: I move approval of the Consent Agenda and for the Mayor to sign and Clerk to attest.

Cavener: Second.

Simison: I have a motion and a second to approve the Consent Agenda. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? All the ayes have it and the item is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Simison: There are no items moved from the Consent Agenda.

PUBLIC FORUM – Future Meeting Topics

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

Johnson: Mr. Mayor, we did not.

ACTION ITEMS

- 9. Resolution No. 23-2369: A Resolution of the Mayor and the City Council of the City of Meridian Appointing Diane Bevan to Seat 6 of the Meridian Development Corporation; and Providing an Effective Date**

Simison: Okay. Then we will move on to our Action Items this evening. Our first Action Item up is Resolution No. 23-2369, resolution of the Mayor and City Council of the City of Meridian appointing Diane Bevan to Seat 6 of the Meridian Development Corporation and providing an effective date. Diane should be a well known commodity to most if not all of us. She's previously served on the MDC and in conversations with the board chair Ashley and several members of Council I think we have kind of set up a good plan moving forward both to bring Diane back on to MDC. She's been very pivotal in really helping with where MDC was the previous couple years. She had to step down while she got busy traveling the state and when she is committed to something she remains committed and if she couldn't be there she didn't want to -- want to take away from the work that needs to be done, but she's ready to get back on and help them continue moving forward with the work that's been occurring for the last several years while she's been part of that and so at this time I would like to invite her to go back on to MDC with the Council's support and be happy to answer any questions.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: No question, but I'm ready for a motion, unless somebody has a question. Mr. Mayor, I think it's a great appointment and I move we approve Resolution No. 23-2369 appointing Diane Bevan to Seat 6 of the Meridian Development Corporation.

Cavener: Second.

Simison: I have a motion and a second to approve Item 9. Is there any discussion? If not, all in favor signify by saying aye.

Borton: And one abstention, Mr. Mayor.

Simison: Okay. Perfect. Opposed nay? Okay. So, four ayes, no nays, and one abstention and so the resolution is agreed to.

MOTION CARRIED: FOUR AYES. ONE ABSTENTION.

Simison: Diane, would you like to come forward and make any comments? We appreciate you being here, so don't want to just send you home for the night.

Bevan: Mr. Mayor and Councilman, appreciate the opportunity to come back. Again, as Mayor Simison said, when I can't give 150 percent to something I feel that that seat should have been given to someone that can give the time and attention that it needed at that time and -- and I'm also excited to continue to serve the City of Meridian and to continue into -- into that position again. So, thank you.

Simison: Thanks, Diane. Appreciate it.

10. Public Hearing for Modern Craftsman at Black Cat (H-2022-0083) by Brandon Sheltroun, HB Architects, located at 4701 W. Caragana Ln. on the northeast corner of N. Black Cat Rd. and W. Chinden Blvd. (SH 20/26) 0083

- A. Request: Development Agreement Modification to modify an existing Development Agreement provision regarding the two-story commercial building now proposed as a single-story structure with surface parking on 2.59 acres of land in the C-C zoning district.

Simison: So, with that we will move on to Item 10, which is a public hearing for Modern Craftsman at Black Cat, H-2022-0083. We will open this public hearing with staff comments. Good evening, Stacy.

Hersh: Good evening, Mayor and City Council. The applicant is here to present the Modern Craftsman at Black -- Black Cat development agreement modification. This site consists of 2.59 acres of land, zoned C-C, located at 4701 West Caragana Lane. The history is part of a -- this parcel is part of the -- of a development agreement that was approved in 2020 and was removed from an existing development agreement for the

purpose of entering into a new DA with a new conceptual plan and building elevations. The Comprehensive Plan is mixed-use community. In the summary of the request the applicant requests a modification to the existing development agreement, Instrument No. 20-174161, provision regarding the two-story commercial building now proposed as a single story structure with surface parking. The approved DA in 20-174261 includes a provision that requires the proposed commercial building located near the intersection of North Black Cat Road and West Chinden Boulevard to be constructed as a two-story structure. The two-story option, though, is a larger floor plate and building provided only 5,185 square feet of ground floor retail and active use area. The remaining 8,538 square feet is dedicated to a tuck-under parking area. So, approximately 131 feet of the Chinden Boulevard elevation is attributed to the parking garage which provides no active ground floor use along this extent of the facade. So, the applicant believes that the parking garage prevents visibility to the ground floor retail areas from Chinden Boulevard limiting the areas of tenant visibility, therefore, providing challenging leasing for the ground floor commercial area and flexible tenant layouts. Currently the anticipated restaurant tenant and other potential retail -- retailers necessitate modifying the previous building design and parking quantities to be better aligned to meet the commercial market demands, while lessening potential impacts on the surrounding neighborhood. So, the applicant is proposing a 7,004 square foot one story commercial building that is highly visible and establishes a cornerstone for the overall Modern Craftsman at Black Cat residential development. So, on the slide you will see the previous two-story elevations that were approved with the development agreement and this is the new proposed one story elevation. Additionally, a 563 square foot outdoor covered patio area is planned for a restaurant tenant to use activating the facade along Chinden Boulevard by showcasing the restaurant activity within the building. The proposed -- proposed building varies in parapet heights ranging from 25 feet 8 inches to 22 feet, presenting a ground floor window height of 12 feet along all the facades. The design echoes the previous quality design and the Modern Craftsman contemporary architectural materials originally presented, such as stucco, cultured stone, composite wood, dark bronze aluminum, store front glazing and standing seam metal roofing reflecting similar quality and color ways of their overall Modern Craftsman at Black Cat development. Staff has analyzed parking using the restaurant standards requiring one parking stall for every 250 square feet of gross -- gross floor area to ensure that adequate parking is provided and per the standard 28 parking stalls would be required if the site developed per the submitted revised concept plan and the applicant has provided 42. Additionally, the commercial square footage was -- footage was a topic of discussion during the initial hearing. Ultimately Council agreed with staff and required the two story commercial building to ensure that the mixed-use community area would develop with a higher commercial square footage to provide more of a balance with the proposed residential development on site. Fundamentally, the applicant's proposal for a one story building on this site includes more retail square footage than the required two-story building and as the two-story building essentially provided less ground floor square footage for retail space and presenting the illusion it was larger due to -- to the tuck under parking area. The applicant is, therefore, requesting the following modification to the provision 5.1.H in the existing development agreement and this just, essentially, is striking the two-story building to a one-story building. Written testimony in regards to

these changes were from Jamie Knight, Evelyn and Albert Jones, and they both support the request by Baron Properties to modify their original agreement and build the single story commercial building in lieu of the two-story building required in the original agreement. Staff does recommend approval and with the -- with the condition striking the two story to a one story and the provision of 5.1.H and that concludes the presentation and I stand for any questions.

Simison: Thank you, Stacy. Council, questions for staff? Okay. Then would the applicant like to come forward?

Koeckeritz: Thank you. Elizabeth Koeckeritz with Givens Pursley. 601 Bannock, Boise. Representing the applicant Baron Properties tonight. All right. Good evening. My name is Elizabeth Koeckeritz, like I just said. I am with Givens Pursley. Tonight also with me we do have representatives from Baron Properties and members of our development team, including Matt Riggs, who is one of the owners of the company. Our Senior VP of Construction Greg Hector. Ryan Sexton and some others who will be able to assist if there is any sort of technical questions that fall outside of the scope of my knowledge. I also want to thank Stacy for her work on this. We worked with the city on this originally with Joe and, then, with Stacy. We reviewed the full staff report and we are in agreement with it. Just by way of background and as a refresher, if you remember, Baron Properties, they are an established developer throughout the Mountain West and they have most recently been approved for two projects here in Meridian, the Modern Craftsman at Black Cat, which is the project we are discussing today, and, then, the Modern Craftsman at Ten Mile. Currently there is a new project that we are slated to be presenting to the Planning and Zoning Commission sometime in February and that will be, hopefully, going in south of the Interstate on the corner -- or near the corner of Victory and Eagle. Just as a refresher, on the Black Cat development, because it's been a couple of years, this was originally -- this was a new sort of concept that Baron was bringing to Meridian at the time, which was the detached residential living within the multi-family community. Baron really prides itself on producing a really high-end product with a lot of high-end amenities where its residents can then just live and live in, essentially, detached single family housing without having to worry about the upkeep, without having to worry about the repairs, with having the swimming pool, with having all the great amenities. Included within that approval was a two-story commercial office building that's fronting the hard corner at Chinden and Highway -- and Black Cat, which is the area that I have circled here in red on the slide. Since that initial approval market conditions have shown that this corner is really best suited for a restaurant type use with some smaller retail and that is what we are asking for here today, as long as -- with an initial two or three smaller retail establishments. We think this will provide just a better intersection. It really integrates this building, this restaurant more into the community. It really makes it a more pedestrian friendly community and, as we are going to discuss, it just makes a lot more sense for the site. Right here this is the new entrance into the development, the northern entrance, and, then, the picture on the right is the commercial site view from Chinden and what you can see looking at this site is in the background -- and it's not an ideal picture, but in the background on the left the development included vertically integrated units. Those have

now been constructed. We are looking at getting C of O's for those sometime beginning of February and, then, to the right, which is also not super easy to see, they have constructed what was considered more of a pop-up market building, which was a smaller commercial building. There was also a smaller ground floor commercial than with four residential units on top of that. And as we talk through this we think it's important not only that what's on that hard corner be visible and something that residents can see and access, but also that those other units get -- that other commercial space also be something that can be viewed -- that can be used that's really integrated into the community. And so for that reason we are asking for this DA modification for a one story building. We believe, as I will discuss each of these, this will improve the activation of the site, reduce the impact on the neighbors, especially the parking. It does meet the higher demand for a single story restaurant building in this location. There is better parking and there is much better circulation as we will discuss. As mentioned, we are -- this is still -- it's an L-shaped 7,004 foot single story building with an additional 563 square foot covered patio area. This is looking at the building from the corner of Chinden and Black Cat. So, parking. Original proposal included a first floor parking garage, which is depicted on the left. It originally provided 37 spaces between the garage and the street parking and which, although that met city code, was still -- it barely met city code. Like we were just hitting the bare minimums of city code there and so there has always been this concern of what are we going to do about parking as this develops and as this place fills out and so one of the concerns is always that the extra overflow parking is going to end up in the residential neighborhood. And so what we are now proposing is a parking area where we eliminate that ground floor parking garage and we have 42 stalls. This equates to six stalls per one thousand square feet, which is more closely aligned with what a restaurant use is looking for and what retail uses in this area are looking for. This also will help the city meet its goal of trying to get some sort of restaurant type use in the area and it really -- it just really opens up this site, as I will explain here in a minute. One of the other issues with the parking was that you came in and it dead ended in three different locations and so you pulled in and if there was not a parking spot you had to back back out and that happened at three separate locations. This new proposed design allows for much better parking flow. As you can see you just drive in and you do a U. It's much more like a standard convenient parking. Like that's where you want to park. Also in looking at the original proposal, they still had not been able to cite where the trash and recycling receptacles would be and so on this new plan there is actually space for that and it's conveniently located more along that eastern boundary. So, talking about the facade activation. The old building, because it was the two story, it really limited the view from the street looking inward to the other developments. As Stacy mentioned, there were 131 feet of frontage was just a parking garage and everyone knows that while parking garages may be needed in some places, they are not particularly helpful in activating street fronts and getting people excited and getting people going places. There were very few pedestrian places to walk and it just was not the ideal situation. Now with this new plan it makes a lot more sense. You can see two and through the parking lot and what's also really key with this new plan is where that green star is, those are the vertically integrated units. So, as you are traveling down Chinden you have at least the opportunity to see that something is back there, as well as there are the -- that pop-up

market sort of flex commercial space. You can also see to and through that, which really allows -- which really does help activate and bring more people to this commercial area. The neighbors have also been excited about this. A lot of them had expected that it would be a one story and they thought when they purchased their homes to the south across the street that they thought they were going to have their views of the mountains forever and by reducing this from the two story to the one story it really does help with preserving some of those view corridors as well. The new plan increases the glazing on the various -- on the three sides of the building, so there is just more to see. It's just a lot more visually appealing sort of building that we are looking at now. All pedestrian circulation and activity -- previously the pedestrian -- there was sort of a walk path over on the eastern boundary. Then you are really walking right through the middle of the property to get to the building, because you couldn't -- because of the large L-shape of the parking garage it just wasn't as connected to Chinden into the front street. Now with this new parking -- with this new plan there is that direct access directly from Chinden to the properties in the back, both adjacent to the building and there is still that pathway along the east side. With that there is also now an increased buffer between -- on the east side between the pathway and the parking lot. That's going to be now -- I believe it was 22 feet. There -- previously there had been -- a community garden had been located there. However, upon reflection and meeting with tenants and seeing how the property actually flows and works, it made a lot more sense and Baron has worked with city staff to move the community garden back to another location on the site where it is now located near the barbecue area, because people who are out and wanting to garden tend to not want to do it right along Chinden and it makes a lot more sense to have it much more internally located in a nicer quieter location. Here you can really see the street activation of the new building. On the top is the previously approved building that was really just -- it sort of is this really large massing building. It's lacking a lot of the sort of pedestrian elements. It's very bulky. While we have no doubt that it would have been a very nice building, we believe that what we are proposing just makes a lot more sense and looks a lot nicer for this site and you can see that by making the building smaller and running it back to the north more that it really just makes the active area -- it works a lot better in this -- with this flow. There is more exterior elevations. Here is a proposed -- the floor plan where you can see the -- the larger restaurant space and, then, three smaller tenant spaces just a little bit clearer. The parking. The pathway. You can see it all a little bit better here. As well as that patio is a really nice feature to let people get outside to be doing something on that corner and to really get that movement between people in the development, people across the street all having a nice place to come, have a coffee, have a drink, have a -- whatever the restaurant is selling. Here is just the comparison of the two buildings. You can see just the much lower building, the more street activation, that just -- the -- the additional landscaping, how this just seems to flow better into the neighborhood. And it does seem that this is more in line with a lot of the C-C zoning that it's in. The bigger building makes a lot more sense further down the road heading -- well, either east or west in some more of the C-G zoning versus the C-C zoning. Here is the picture again from the corner of Black Cat and Chinden. It has the different roof levels. There is a lot of canopies and roof eaves. There is depth along the facades. There is just a lot of visual interest going on here that makes this a really nice building.

Here is -- if you are on Chinden facing west you can kind -- you can start to see the buildings behind it from this picture where there is just that openness and that connection throughout the development. And, finally, this is where when you come in from Caragana all of the accesses -- there were no accesses to the development off of Chinden. You come to Black Cat, you turn right on Black Cat, then, there is two entrances into the development. The first entrance is Caragana Lane and so you turn in there and, then, you turn into this parking area. As mentioned we did receive two letters of support. I think that's really key. We have all done a lot of these. Very rarely do we have neighbors actually supporting anything that people want to do and so I think that this -- the way this flows, the way the neighbors see this integrating, it provides something that neighbors do want, which is a restaurant type use in this neighborhood. This design accommodates the tenants that we anticipate being here. It better meets with the pedestrian access. It's better -- it provides more parking and it addresses really all of the sort of concerns that the development team has had in trying to integrate this building in with the development and with that I will stand for any questions.

Simison: Thank you. Council, questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just a quick one, kind of a minor detail, but what are the changes to the community garden? Is it being -- where is it exactly being relocated and is it changing size?

Koeckeritz: It is -- so, I have a site plan here. I don't have a pointer. So, on the far eastern side there is an orange -- so, right there. That is the barbecue area and they are being relocated there. I don't have the -- into that barbecue pit area, which will make it just generally nicer for the tenants.

Strader: Comment. So, you are moving the community garden into the residential part of the development?

Koeckeritz: Yes.

Strader: Okay. Got it. And, then, I guess it's just a -- more of a comment for staff. I mean so I -- my -- one of my takeaways from this is if we are concerned about the amount of land devoted to a different use, maybe, you know, multiple stories isn't a great solution in terms of a requirement. But I -- I think this is a big improvement overall. So, I -- I -- I'm in support. Thanks.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Elizabeth, appreciate your -- your presentation and I tend to agree with Council Member Strader, a two story parking garage -- not feasible for a lot of reasons. My -- I guess my question is -- recognize maybe you are figuring out who the tenant is going to be for the restaurant, but can you at least describe the concept? Now it looks like it's like a fast casual type of restaurant. Is that kind of what's intended? Is it fast food? Fine dining? Kind of what's -- what's proposed?

Koeckeritz: I would -- Mayor, Council Member Cavener, I would anticipate it being more of a -- oh, I don't know, like a nicer, but not a high-end sit-down restaurant.

Cavener: Okay.

Koeckeritz: With the -- like with -- like a burgers and a -- like a high end Applebee's, but I don't want to say an Applebee's.

Cavener: Sure. Like a -- more casual in nature, less fine dining.

Koeckeritz: Yes.

Cavener: Okay. And -- Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Elizabeth, here is the reason why -- why I ask and I -- I don't think I have ever -- in my time on Council ever been a snob for parking. But one of the things that we are seeing is that Chinden is really starting to emulate a lot of Eagle in that there are a lot of restaurants and when I talk to those restaurant owners, if they don't own the building, one of their biggest complaints is there is not enough parking for their patrons and so I worry -- state highway, pulling a lot of traffic from multiple cities, multiple counties, across Chinden -- appreciate going 18 spots above the minimum. I worry a little bit that this is going to be a really attractive place that a lot of people are going to want to go to and with that close proximity to the neighborhood, I -- I worry if we are setting ourselves up for a little bit of disaster of patrons really excited to go to this restaurant, starting to park, then, within the neighborhood and causing some -- some challenges for -- for residents as well. So, not a parking expert, just curious kind of maybe walking through the Council, like how you arrived on 42 stalls and is -- is 40 not enough? Is 50 too many? I mean help me kind of understand that process, because I anticipate it's a -- it's a Tuesday night, people aren't here at City Council, they are at this place having a great meal and the parking lot is full.

Koeckeritz: Yes. So, I would say at first that the way we reached this was initially by just pulling back and see what this is and while this -- and the standard for a lot of restaurants, this is on the medium to low end of what is -- what they like to see and so it is what we could get on it for right now. I do have some people here who might -- Ryan, who is here, who may be able to address the parking questions in a lot more detail.

Cavener: Great. Thank you, Elizabeth.

Sexton: Ryan Sexton. Project manager. Baron Properties. I -- this is -- I have been working on this for the last six months, putting it together. We had to work on a traffic plan or the parking plan that works where we could still have circulation, because nobody wants to get stuck in a dead end. We still had to be able to meet our needs with bringing in -- having trash on site and have dumpsters there to kind of contain the site and this was the best layout we could come up with with the parking stalls. One thing to think, too, though, in the evening there is some overflow just within our center as well, so -- because we aren't directly connected, obviously, just to the north. There are some additional parking up there that could be overflow if need be. I would -- as far as the individual neighborhood, everything around there is owned by us. But Fairbourne will be across the street with a development. So, I think we have -- for mitigating out into the parking -- into the neighborhoods to the far north, I -- I appreciate your -- I see your concern, but I think that's -- they are going to mitigate their parking onto our site as well.

Cavener: Okay. Mr. Mayor?

Simison: Councilman Cavener.

Cavener: So -- is it Brian?

Sexton: Ryan. Yes.

Cavener: Ryan. Okay. Ryan, maybe, then, walk me through -- because what I see is -- what I assume would be human nature is I -- I'm excited to go to this restaurant, I pull into the parking lot, lot's full, and, then, I saw -- I couldn't see the street name that the restaurant is on, but I would -- Caragana.

Sexton: Caragana.

Cavener: Okay. Caragana. So, I could see, then, if I'm a patron, I'm going to -- I'm going to hang a right and go down Caragana into the neighborhood, as opposed to going forward to try and -- and utilize that overflow there. Am I wrong with human nature?

Sexton: You are correct on that. But if -- a simple two rights -- so, if you have another left and the left you can swing right back into our commercial parking, which is just to the north. But I understand what you are saying. But, once again, it's our neighborhood and -- as a rental neighborhood.

Cavener: Yeah.

Sexton: We like -- we want to minimize that as well.

Cavener: But -- Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Ryan, your neighborhood, but also our constituents who are moving there that, you know, they don't always recognize, hey, the same people that did the restaurant did our neighborhood. They are upset because Council Member Cavener is parked, you know, quote, unquote, on their street to go to the restaurant, as opposed to, you know, providing for -- for a neighborhood base. Ryan, one -- one more question, because I'm starting to see a little bit more of this, at least in south Meridian where I live, got a very popular place, very similar to this, that has a neighborhood that surrounds it and I have seen from time to time golf carts and side-by-sides where they have parked in the parking lots there and I don't know -- is that something that you are seeing in your industry, like a rise of people using these recreational vehicles within a neighborhood to get to businesses? You -- you wrinkle your brow, so that tells me that's probably not something you have seen and I just --

Sexton: No. And -- and, sorry, that was -- wrinkling my brow was thinking, so -- put that through there. We have not seen that. This is a rental neighborhood that we own and have complete control over. I believe we will have actually within our -- have some rules and regulations about riding side-by-sides within our neighborhood.

Cavener: Okay.

Sexton: That being said, your concern is valid, because we do have -- we have Fairbourne right behind and people do have their golf carts and they are going from place to place.

Cavener: And -- and -- Mr. Mayor? Ryan, the only reason why -- why bring it up is, again, smaller parking spots -- I don't know if that's something that the industry has seen is I got to a parking lot, I have got regular and I have got compact and I don't know if there has been any contemplation for ultra compact for golf carts or anything like that. I'm just -- I'm trying to find ways to maximize your parking in there, because I -- I just -- I foresee this as going to be a challenge five years from now, so for what it's worth.

Sexton: Understood. Thank you.

Simison: Additional questions or comments? Just -- just a comment from my perspective. The patio in the front, is that designed to be a place where there will be tables and eating on that? I -- just being honest, I mean it's going to be a seven lane road there. I can't imagine that's going to be a location that people are going to want to sit. I could be wrong. I don't see anybody on -- out on the back of Buffalo Wild Wings, except for -- except for at happy hour when they don't care how loud it is, because they are all just being loud in that regards. But just two cents. I would never sit on that patio at that restaurant and if you want to have a five star restaurant you are not going to have a conversation with anybody with the traffic noise. There is no traffic coming along that corridor and that part that I'm aware of. Food for thought. Consideration if it's really

worthwhile, but -- all right. Thank you very much. Mr. Clerk, do we have anyone signed up to provide testimony?

Johnson: Mr. Mayor, just one. Lane Barlow.

Simison: Okay. No comments. If there is anybody that would like to provide testimony on this item, feel free to come forward. If you are online and you would like to provide comments use the raise your hand feature and we can bring you in. We do have a few people online. Seeing no one coming forward and no one raising their hand, would the applicant like to make any final comments? State your name and address for the record, please.

Hector: Greg Hector. Senior VP construction development for Baron. Thanks for talking with us tonight, Mr. Mayor, Council Members. I did want to just address the one concern about the patio and also the neighborhood. There is a restaurant up on Chinden a little farther east, the Tavern, which has a -- a patio facing Chinden. It's -- it's a little bit of the design concept that we have there where it actually opens up to more of the public areas. Also the concept of the restaurant with our community, I wanted to stress that we are a fully owned and operated multi-family developer. We operate our own communities with our own employees and we have our own set of covenants for the community. So, we really don't have the side-by-side golf carts -- people doing whatever they want to do. One of the things that we did with our development was create a very connected spine walkway throughout the community and when we worked with Meridian staff that was very deliberate to make sure that the residential could mix with the commercial and so we created spine walkways and even the driveways where our rental and lease tenants would be able to walk to any of the commercial facilities that we had put down in that C-C zone at the corner. When we had our neighborhood meeting a lot of the Fairbourne and the Spurwing residents came to that, which we held in our Black Cat clubhouse, and were really in support of the ability to walk to a restaurant across those streets and across the sidewalks and all of those different amenities that we put in. Also the concept behind the restaurant was that the retail space is really integrated well with the ground floor commercial spaces within the vertically integrated building that's just to the north of that, so we have created kind of a marketplace center where people who are in that community or in the communities around us can literally walk into and through our community past our amenity space, they could go to a service provider or a -- or a nail salon or a yogurt shop or something in our vertically integrated building, possibility to visit something happening in the community space at the pop up and, then, right across the street is the -- the restaurant and three more retail locations and so we are trying to just pile that together. One of the big things that was a big piece of Meridian staff when we first proposed this development was the integration of that whole commercial corner and we weren't in favor of the two-story concept from the beginning, but that was really the direction that we were asked to go, so we did. And so we are really trying to return back to the roots of what our vision was in the first place. So, I just wanted to clear up some of the -- you know, we are seeking to maximize the parking spots already by doing almost triple the

-- the allowable count, but we don't see a lot of mayhem with smaller vehicles or people just kind of coming in from nowhere. If that helps.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Greg -- and I apologize for kind of belaboring this, but maybe you can -- I'm not the traffic engineer; right? I assume you guys have built space for restaurants and other developments. What's the appropriate amount of spaces for a successful restaurant? I -- you know, I did a quick look on -- on Google Maps as some other restaurants that I thought that would kind of fit this model in Meridian and they all have way more than 42 spots and those are also restaurants that are very popular, that the parking space is full. So, I mean if you -- if you had a magic wand and you are building this restaurant, is 42 the sweet spot or would you want more and it's a case that you -- you can't do more just because you are limited by the space that you have available?

Hector: Yeah. Council Member Cavener, that would be where we landed is that we knew it was Meridian's concern to try to maximize commercial square footage and we knew that we were reducing the square footage and by -- it was kind of a -- little bit of a math matrix there to reduce the square footage of the building and -- and maximize the parking spaces. I think we ended up at, what, one -- six spaces per thousand was it? So, we felt like we were -- we -- we landed in the right place as far as maximizing the most vehicle parking spaces we could without reducing the commercial, because we only have so much room there. That's why we worked with Meridian staff to relocate the community garden and planning staff worked with us to relocate that and that was also to help maximize as much parking as possible up in that corner and like Ryan mentioned, we do have some overflow there right across the street in the rest of that commercial area next to the pop up and the vertically integrated building.

Cavener: Okay.

Hector: And you had a concern earlier that you might turn right and just head off to the east. It's -- it's very clear once you have passed that commercial corner heading east on Caragana, that you have now entered a residential community. So, you would -- you would quickly know there is nowhere for me to be down here. So, I have missed my -- my parking spot.

Cavener: Well -- and -- Mr. Mayor. I -- I agree with you, but I also think that we are creatures of habit and if I -- if I'm in a residential area, but I'm late for dinner with my wife, I'm still going to try -- and I don't have a parking spot, I'm going to probably park on the residential street and go catch up with my wife and so that's -- that's the part -- I'm just --

Hector: Yeah.

Cavener: -- for whatever reason this one has just struck me as it's -- it's -- it's under parked, which I don't think I have ever made that claim in my years on Council and I just I -- I worry about the impact on your residents and our citizens and your patrons and --

Hector: Our only opportunity to create more parking spots there would be to even shrink the building --

Cavener: Yeah.

Hector: -- further and so I think that's where our vision was to create a really nice commercial building that tied into the architecture, but also provided multiple tenant spaces with as many spots as that one acre allows us to.

Cavener: Yeah. No. I -- I totally -- it's -- you're in a very very tough situation and I really like the project, I just -- I -- I think it's going to be so successful that five years from now everyone is saying where -- where are these customers going to park?

Hector: Yeah. Yeah. Elizabeth was pointing out that, you know, as you progress -- there is really no parking in the -- in the roads, because there is parking stalls for residents and, then, covered parking spots under canopies with numbers. So, those are all reserved parking.

Cavener: Sorry, Mr. Mayor.

Hector: But they are numbered parking for -- yeah. There is -- there is some open spaces, but they are numbered. There is canopies that are numbered. And, then, there is private garages that are numbered. So, they are -- really, you know, without parking in the street you would be diverted to probably find a spot over in front of the vertically integrated building or in front of the clubhouse. Interestingly enough, because we only have a right-in, right-out onto Black Cat from our southern entrance, when you leave that commercial space we had no other option other than for people to leave headed north in between the clubhouse and the vertically integrated to get back to the main entrance and exit. That way if they want to go left -- so, that really becomes a -- a key indicator that that's kind of where that overflow parking is. If that helps.

Cavener: Thank you.

Hector: Thanks.

Cavener: Appreciate it, Greg.

Simison: Technically the applicant has spoke for the last time, which is -- we have the person signed up who didn't provide comments before. Council, would you like to hear from -- okay. If you would like to come forward, then, the applicant will have an opportunity to speak again afterwards. State your name and address for the record and be recognized for three minutes.

Barlow: My name is Lane Barlow. I'm a resident of Fairbourne and relatively new on seeing the things that are occurring. I do like the idea of it going to single story, because it does change the whole dynamic when you turn in there, because Black Cat is right now a very small road for the amount of people in there. But I'm seeing this as kind of only a one-dimensional look, because directly west there is another commercial property. So, you -- and talking the over flow parking, just in this neighborhood it wouldn't stay in that neighborhood, it would probably go to the commercial parking that is due west and I don't know what structures are going to be there, but that's going to include people trying to cross Black Cat, if they are going to use crosswalks or not, if there is going to be an adequate crosswalk. And, then, there is -- I think it's Waverton Road that is just north and west that runs off of Black Cat -- runs westbound off of Black Cat and that area would be the most logical place for overflow parking. Being a person that's been in enough restaurants and everything else, I would not want to park in somebody's residential area. Wouldn't want to park in a lot of this overflow parking. I would drive down the extra 50, 75 yards, turn left on Waverton and that street does not -- that leads to both sides of Fairbourne. So, that would be every place that I would park and, then, walk my family. Me personally I like crosswalks. I don't like to get run over. But I could see people running across that back and forth with no pedestrian control or safety. While I can appreciate what they are looking as already shrinking the square footage, this region is very difficult to get around in parking and I have noticed that. I come from a different area. The angles to turn into the parking lots is awkward. The amount of the width of the entrances and exits can be awkward and the connection between one parking lot to another. There is a lot of stores that you will go to -- well, I will go to that store that's, you know, another strip mall, but separated by 20 feet and you can't get to it, you have to drive out and, then, drive into their parking lot. I -- I fully agree with Mr. Cavener that parking is a huge thing to look at and how it will adversely affect the community. Also, if people get frustrated with parking -- yeah, we would like to take you there. It's not worth going to. Then those businesses suffer because people aren't willing to -- why go there, it's too difficult, it's too frustrating. And I can guarantee you Spurwing due north and Fairbourne have more than their fair share of go karts -- or not go karts, golf carts and side by sides that are going everywhere in between. So, while this community might have the CC&Rs to prevent that from occurring, Spurwing is a huge development. Fairbourne is a pretty good size development. They would come into it. So, definitely take a look at the west part of this west of Black Cat. I think that will really change the dynamic.

Simison: Thank you.

Barlow: That's it.

Simison: Council, any questions?

Strader: Mr. Mayor, just a comment.

Simison: Council Woman Strader.

Strader: Because it's a DA vacation, I think the tricky thing is it's not like we are approving a new development, so if we didn't approve this we would end up with the previous concept plan, which was underparked.

Barlow: And I fully understand that. I just --

Strader: Yeah.

Barlow: -- because that -- the comments kept coming up, parking maybe somewhere down in the future that is more of a focus, and while you were quite polite and politic about it, the original parking here should have never existed. That drawing where you have to back up to get out on commercial property, that -- that should be a key component of any development that you are looking at where the trash is, where the recycle -- you know, besides the fire department with their water stands and everything else, how do people actually go through it and if -- parking is huge.

Strader: Thank you, sir. Appreciate it.

Barlow: Thank you.

Simison: Thank you. Is there anybody else that would like to provide testimony on this item? Then would the applicant like to make any final comments?

Riggs: Mayor and Council Members, my name is Matthew Riggs. I'm at 529 West Fordham in Eagle. Not sure if I'm supposed to say that. But, you know, relative to your question, Councilman, about the spaces per thousand square feet, we typically see that -- that retail users, restaurant users, want between five and seven spaces per thousand feet. So, I think this is at 6,000 -- or six per thousand, which is what we studied in saying, okay, is 42 spaces on this lot enough to attract the tenants that are going to be here and in our experience, albeit, you know, relatively limited and not in this, you know, part of town, we have seen that six per thousand is adequate for what these users are -- are needing in order to be interested in the space. I think that any -- you know, any restaurant user is going to first, you know, look at location and design and then -- and, then, see what their patrons are going to do relative to access and parking and -- and that's why we landed on saying let's reduce this -- actually improve the spaces per thousand feet that we are going to be providing and -- and -- and make it accommodate, you know, the neighborhood services that we talked about a couple of years ago at length when we were here. So, you know, I think that's really the -- the quantitative look at this is, hey, can we get to five per thousand for this retail and, oh, we got to six per thousand. This -- this feels good. Now, to your point, I -- I think that if you have a major hit of a restaurant, which is a focal point of our -- of our discussion, but, you know, we don't have a -- a restaurant user in tow right now that is signing up for this. So I think that the -- the idea of a restaurant here is probably a pretty good one and I think we will get interest there. But most of these restaurants want to see, you know, a building that's in place and -- and moving forward before really -- really jumping into it. So, that's one side of it. You know, Greg and Ryan touched a bit on the overflow parking to the

north there. It's not -- it's not depicted in -- in this diagram, but we have over 25 or 30 spaces that are dedicated to the pop-up area and the vertically integrated and we really envision that vertically integrated being, you know, an office type of use, which is, you know, in our minds probably not a peak hour versus the restaurant. If we were to have one here we -- we would see that a -- that a restaurant overflow could go into the spaces that -- you know, their peak hours are after 5:00 p.m. when most offices -- you know, most people leave for the night. So, that was kind of how we studied it. And, then, we did -- you know, we really stressed this -- this neighborhood inner -- inner -- interconnection and -- and Greg mentioned it, as did others. We have -- we have actually had somebody from -- I think it was Spurwing stop by in a golf cart at one point and -- and our property manager on site, you know, did mention, hey, we really -- you know, we really don't allow golf carts here. We don't want to be put, you know, at -- you know, in -- in liability relative to folks, you know, driving across -- whatever it is. Tree Crest I think on the north there to get to our spot. So, you know, we focused on -- are we adequately parked for vehicles? Yes. I think there is some opportunity on the north side of -- of the building that we proposed to add some -- you know, some bike parking and maybe some other, you know, vehicle parking if -- if -- if that's what we think we -- we should do. But I think overall we have -- we have studied this pretty carefully and in our experience, you know, we will get interest from users at these parking levels and we would not be in here today, you know, trying to get something approved that in our -- in our minds would be underparked, because we wouldn't find that the business is there to do it. So, just wanted to add -- you know, add that to the testimony and -- and, you know, here for any questions.

Simison: Question for you. Are -- are these private roads or public roads?

Riggs: They are private roads.

Simison: All the way through?

Riggs: Yes, sir.

Simison: Okay. Thanks.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I don't think we have anymore testimony before us, so I would move we close the public hearing on H-2022-0083.

Cavener: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Hoaglund: Well, Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: And good discussion on this project and I think some good questions and overall, you know, nearly 2,000 square feet increase in commercial use of the facility. We also have about -- almost an over 40 percent increase in -- in parking stalls. Yes, I think Councilman Cavener is correct, you know, whenever you have a popular restaurant there is definitely conflict there. It -- it happens and it's something that we probably should take a look at when we -- we look at our uses and how much parking we require, but that's -- that's on us. So, I think overall this is a good change for -- for that location and I think it's going to be successful with what they are planning to do on it that way. So, Mr. Mayor, I would move that we approve H-2022-0083, after considering all staff, applicant, and public testimony, as presented in the staff report modifying provision 5.1.H for the hearing date of January 17th, 2023.

Cavener: Second.

Simison: I have a motion and a second to approve Item H-2022-0083. Is there discussion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion carries and the item is agreed to. Congratulations and have a good night.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

FUTURE MEETING TOPICS

Simison: Council, anything under future meeting topics? Or a motion to adjourn.

Hoaglund: Move to adjourn.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

_____ MAYOR ROBERT E. SIMISON ATTEST:	_____ / / DATE APPROVED
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CHRIS JOHNSON - CITY CLERK