

A Meeting of the Meridian City Council was called to order at 6:10 p.m., Tuesday, June 28, 2022, by Mayor Robert Simison.

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

Also present: Chris Johnson, Bill Nary, Joe Dodson, Alan Tiefenbach, Brandon Frasier, Joe Bongiorno and Dean Willis.

**ROLL-CALL ATTENDANCE**

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

Simison: Council, we will call the meeting to order. For the record it is Tuesday, June 28, 2022, at 6:10 p.m. We will begin this regular City Council meeting with roll call attendance.

**PLEDGE OF ALLEGIANCE**

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

(Pledge of Allegiance recited.)

**COMMUNITY INVOCATION**

Simison: Mr. Clerk, do we have anyone under the Community Invocation this evening?

Johnson: We had a last minute cancellation, so no.

**ADOPTION OF AGENDA**

Simison: Okay. Then with that did we have anyone signed up under public forum?

Hoaglund: Mr. Mayor --

Simison: Oh. Sorry. First item up is the adoption of the agenda.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move approval -- that we adopt the agenda as published.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

### **PUBLIC FORUM – Future Meeting Topics**

Simison: Next item up is public forum.

Johnson: Mr. Mayor, we do have four signed up. First is -- apologies. Kurtis Plaster.

Simison: If you -- when your name is called if you would come forward and be recognized for three minutes.

Plaster: Good evening. Mayor Simison and the Meridian City Council, thank you for your time this evening. I will -- I will be as brief as possible. Safety on Eagle Road will be I'm sure a recurring theme this evening with several of us speaking on that matter. My question is -- hopefully the Mayor has been made aware -- in April we had a meeting with the -- the Mayor, Idaho Department of Transportation, ISP, Meridian Police and several other entities regarding safety on Eagle Road. Specifically unprotected left turn lanes. On November 13th, 2021, our son Jordan Plaster and his 21 year old girl -- girlfriend Kess Boesch were involved in a fatality accident at the intersection of Eagle Road and Baldcypress. Our son attempted a left turn from the concrete median left turn lane. Traffic in the opposing inside lane was backed up from Ustick northbound to Baldcypress. A vehicle yielded space for our son indicating that he could make the left turn. He attempted the turn, but his Mitsubishi Mirage was broadsided by a lifted Ford F-250 pickup truck. By police estimates the speed of the truck was 53 miles per hour. I said lifted Ford truck to emphasize that the bumper of the truck was too high for the one steel side piece in my son's Mitsubishi Mirage that may have protected his girlfriend. There were no skid marks prior to the point of impact and at that speed the truck penetrated my son's car 25 inches, killing Kess instantly. Her injuries were so severe that her parents couldn't view her body due to the extent of the damage. Our suggestion to make Eagle Road safer is to eliminate that unprotected left turn lane at Baldcypress. The unprotected left turn just north of Fairview leading into The Village has been closed for some time now using barriers that appear relatively inexpensive and easy to install. A similar barrier needs to be placed at Eagle and Baldcypress to block both northbound and southbound left turn lanes. Considering that there are traffic signal controlled intersections within a quarter mile north and south of Baldcypress at Wainwright and at Ustick with traffic light control left turn and U-turn lanes, the unprotected left turn lane of Baldcypress is completely unnecessary. My son never would have attempted a left turn if that left turn lane wouldn't -- wasn't there.

Please make this change if you can before another Idaho family or family -- other families have to live through this horrific experience. Thank you for your time this evening.

Simison: Thank you.

Johnson: Mr. Mayor, next is Lori Wilder.

Wilder: Good evening, Mr. Mayor and City Council. I know how devastating a car -- car accidents are to families, as I lost three cousins to them. One cousin was hit by a car as he was walking on the shoulder of the road, that the driver was racing another car. I had three neighbors die in the same car accident due to the driver falling asleep, crossed the median -- the median hitting them head on in California. I'm sure others in this room have lost people to car accidents. We all agree that the Treasure Valley has experienced an onslaught of growth. Eagle Road to me is by far the most past street in Idaho. It seems like there isn't a day that goes by that there is not a car accident somewhere in the Treasure Valley. I -- I drove by Eagle -- I drove up Eagle just to see where there is possible issues with some left turns. I came across three of them between Fairview and Wainwright. If you are heading north you can make a left turn at Discount Tires. You can -- and that's before Ustick. You can also turn left at Baldcypress, which we have talked about, as you enter the parking lot of Hobby Lobby and there is also one at the Metro Express Car Wash where the Chevron Gas station is there. All three you can make left-hand turns. Now, the one we are talking in particular is close to Ustick and I have driven that street, you know, a lot and the traffic does back up at Ustick, especially in the left lane traffic backs up -- if you are trying to turn it's hard to see which, you know, lane is open, because once that lane -- the traffic is there you can't see who is coming, you don't know how fast they are coming, so -- and you can't determine, you know, if it's safe to pass and if we can just eliminate these three left turns and right turns, too, we won't be having this issue and talking about this again. I don't know the Boesch family, but I did attend Kess's memorial service. Can we do something as a community to prevent this accident from happening to another family? Yes, I believe we can. We can honor Kess's memory perhaps by slowing the speed limit on Eagle. Maybe make it 45, instead of 55, and also remove those left turn lanes, so we don't have this. This might seem like an inconvenience to some people, but at the end it will save future lives as the Treasure Valley continues to grow. Thank you.

Simison: Thank you.

Johnson: Mr. Mayor, next is Laurie Boesch.

Boesch: Good evening. My name is Laurie Boesch. I stand here tonight with my family and friends as we come together to ask you to act to -- to reduce the speed limit and restrict unprotected left turns on Eagle Road. The picture you see on the signs is -- you must be curious -- my daughter Kess. The picture you see is from late spring of 2020 when she graduated from CWI with an associate's degree in elementary education. She went on to Boise State. She was supposed to graduate this year with her bachelor's degree so she could student teach this fall. Sadly those plans were not to become,

because of her sudden and tragic car accident on Eagle Road that took her life and future away on November 13th, 2021. On that November day Kess's boyfriend Jordan was driving Kess to Hobby Lobby so she could buy Christmas decorations for their newly rented apartment. He was traveling north on Eagle in his small Mitsubishi Mirage and pulled into the left turn bay at Baldcypress near the Hobby Lobby parking lot. Traffic was busy that Saturday, as it is every Saturday on Eagle. The left lane headed south on Eagle was backed up as far as the eye could see. A woman driving an SUV stopped in front of Jordan to let him through the intersection. Jordan could not see beyond her, but assuming he was clear he attempted the left turn. He did not make it. The vehicle that hit Jordan's car was a Ford F-250 traveling at 53 miles per hour. He did not see Jordan's car coming. The Ford -- the Ford T-boned Jordan's car in the passenger side where my daughter Kess was sitting. The driver was traveling so fast that he had no time to react and did not apply his brakes until after he hit Jordan's car. Police later revealed that the passenger -- passenger door was pushed in two feet. Kess never had a chance. She died of blunt force trauma at the scene. Jordan suffered extensive injuries himself, including a broken arm and brain trauma. By the time police arrived to our home that evening they weren't sure if Jordan would survive as well. Kess's death was senseless and could have been prevented. Two hundred feet north of Baldcypress where Kess and Jordan were hit was a traffic light with a protected left turn, Wainwright Drive. Three hundred feet south was Ustick Road, also with a protected light and left turn bay. If Baldcypress had been prohibited from left turns the accident would have never happened and we wouldn't be here today. If the driver of the Ford F-250 would have been traveling 35, instead of 53, he would have had more time to react and apply his brakes. Kess would have a much higher chance of survival. On April 13th of this year my husband Jerry and I, along with Jordan's parents, Kurtis and Beth, met with Mayor Simison, the Meridian Police chief, and two representatives from ITD. The two representatives explained to us that day that they had been aware of the problems plaguing Eagle Road for at least ten years. That means for at least ten years of meeting after meeting after meeting discussions were had, but no action was being taken. They knew that Eagle Road aka Highway 55 was the only stretch of road in the entire state where the speed limit did not drop when coming into town and yet they did nothing about it. They knew of Meridian's quickly increasing population, which brought an ever increasing traffic on Eagle and they did nothing. Can you imagine 55 miles per hour going through Weiser, Payette, Horseshoe Bend, New Meadows or even Coeur d'Alene? They do not. In every one of those cities the speed limit drops to 35 or 25. The speed limit drops in every city and town in Idaho, except this one, the great city of Meridian, making Eagle Road one of the most dangerous sections of highway in the entire state. The police chief told us that -- at that meeting that there was an accident every day on Eagle. Every single day. If you travel on Eagle Road regularly you know that most of the time you can't even reach speeds up to 55 because of the congestion. But on November 13th the driver of the Ford F-250 did reach that speed and it killed my daughter as a result. He legally killed her. Recently Jerry and I were pleased to see Mayor Simison's State of the City address in which he addressed the problems of Eagle Road's speed limit. We would like to thank him for shining light on the issue and vowing to fight for changes. However, as much as these words were much appreciated, action is still needed. We ask that you add this to the Council's agenda and start taking action. No more meetings. No more talk. Now is the time to act and is long overdue. Currently

Eagle Road is under construction. Posted speed limits in construction zones are either 35 or 40. I'm not sure, because I don't travel on Eagle Road anymore. I'm sure traffic still moves along just fine. Why not insist that ITD leave the reduced speed limits and not return to 55 when construction is complete? Our precious daughter is gone. She paid the ultimate price all for a trip to Hobby Lobby. I would assume most, if not all of you, are parents. Losing a child is like going through hell. It's the worst kind of pain imaginable. It's too late for Kess, too late for us. However, we can do something to prevent this from happening to another family. We can save lives. Please help us save lives. Don't let another family go through what we have. Thank you.

Simison: Thank you.

Johnson: Mr. Mayor, we have David Ingle.

Ingle: Good evening, Mayor, Members of the Council. My name is David Ingle. I am Laurie's father and Kess's grandfather. I'm not sure that I can add much to what Laurie has said, because I think she has said it all. We do appreciate that the -- the Mayor in addressing the speed issue on Eagle and we hope you do come to a -- a quick conclusion about doing something. We understand that it's a state highway and I understand there is jurisdictional issues and I understand all of that, but sometimes something is so obvious that enough is enough. We just have to do something and I think it is to -- not just the 55 mile hours -- it is the left-hand turns. By way of maybe qualifying things a little bit, I used to be a Boise police officer. I was a Boise police officer for 15 years. I investigated hundreds of accidents, including left turn accidents, which were typically very high risk accidents, close to -- or akin to a head-on collision, the kind of forces and -- and injuries that -- that result. So, I understand that. I used to work with the engineers in the City of Boise, the traffic engineers. I understand about flow and -- and percentiles and -- and all of that. But sometimes you have got to get beyond that. You have got to just say, hey, this is obvious. I understand about the growth in this community and the challenges it's presented to you. When I was a police officer in Boise it was a sleepy -- sleepy little city of 70,000 people and Meridian was even sleepier, about 7,000 people. So, that kind of dates me, but for where you come from then to now and the tremendous growth -- and I know you have had difficulty with your -- keeping your infrastructure up and -- but it's not going to get any better, it's only going to get worse as your explosive growth continues. You are going to have to find a long-term solution. I drive through cities all over the northwest frequently, especially trips down here from Spokane to -- here to see family members. I have been in Coeur d'Alene, Tri-Cities, so on and so forth. They all have similar, if not as large of problems, but similar problems with highly congested areas and -- and heavy traffic. They all -- in fact, I drove through Tri-Cities yesterday to get here. There is no left-hand turns in going through the Tri-Cities. There is no 55 mile an hour speed limits going through the Tri-Cities through those heavily congested areas. The same thing is true in Coeur d'Alene where I -- where I live. The same thing is true in Spokane where I live. Spokane has been fighting the problem for years with north-south traffic on the Division Street corridor. They have had to take drastic action and you are going to have to take drastic action I understand for the future. But now is the time to

start and, again, we implore you to -- to do what you can to address this issue, so another family or families don't have to deal with this situation. Thank you.

Simison: Thank you to all the family and friends and acquaintances that are here and we will be talking further with Council President Hoaglund on what the appropriate steps forward for the city are on this topic, but know we will continue to engage ACHD and ITD and there is a joint meeting coming up with the two of them in the not too distant future that we could probably share some information about. That might be a good way to engage with those that can make the ultimate decision. Okay. Thank you.

## **ACTION ITEMS**

### **1. Public Hearing for Meridian Districting Committee Resolution 22-0001: A Resolution of the Meridian Districting Committee to Establish the Meridian Districting Plan**

Simison: So, with that we will move on to our first item on the agenda, which is a public hearing for the Meridian Districting Commission -- or Meridian Districting Committee Resolution 22-0001. We will open this public hearing with comments from Mr. Starman.

Starman: Thank you, Mr. Mayor, Members of Council. Kurt Starman at the city attorney's office and here to talk with you tonight about city council districts and the districting plan. As the Council is well familiar, the state legislature implemented a new law in 2020 -- 2020 that requires cities with a population of one hundred thousand or greater to implement mandatory city council districting and so there are three cities currently in Idaho that meet that threshold. Boise City, Nampa and Meridian. And so the City Council I think showed great leadership in this area and was very proactive and made a decision early that you wanted to make sure you had an objective process and an apolitical process, meaning nonpolitical, to go about that and so the -- the City Council did a couple things early in the process. One was you established -- or in some cases amended city code. In other instances adopted a new city code to address this issue and, then, importantly, you also created the Meridian Districting Committee made of -- made up of six members that were appointed by the Mayor and confirmed by the City Council and I had the pleasure of staffing that committee. They did an excellent job. I think they took their job very seriously and showed great due diligence and worked very hard to prepare a product that met your expectations. I also would note for the audience's benefit and particularly so Council is very clear, I mentioned earlier that an apolitical process and so the Council even codified a requirement that the committee was not to take into consideration where current City Council members might live or where future candidates might live and, rather, to look at this in a broad sense, an objective sense, without adding those dimensions to the conversation and, again, the committee followed that direction and I don't think that question -- there was a question from a citizen at one of the public hearings, but absent that no committee member ever probed in terms of how this might impact current Council members or future elections or anything of that nature. They took their job very seriously. So, tonight we have a public hearing. This is -- this is all -- this is extra credit on the part of Meridian. So, we -- we are not required to have a citizen's committee. We are not

required to have a public hearing tonight, but the Council was very interested in an open and transparent process, a process where the community had input and had a seat at the table and where everybody had a chance to have their voice heard and so we are here tonight to -- to honor that and to bring transparency to the process. I'm going to take the first part of what I will call a -- kind of the staff presentation. I will cover a few topics in terms of kind of history and some legal topics that the committee had to consider and that you will need to consider as well and, then, the chair of the committee Jo Greer is here tonight and she will take part two of the presentation and she will describe the -- the committee's work and how they -- how they went about their work and, then, importantly, how they arrived at the Meridian districting plan that's before the Council tonight and the purpose of this public hearing. So, very briefly I already mentioned the legislature passed a statute in 2020 requiring this process -- or not the process, but the creation of city council districts and -- and so we are going down that path. Our code -- the code changes that the Council made and the additional or new code sections that were added created the committee and, essentially, charged that committee with developing the plan that's before you tonight and so that's our purpose. The Council really has -- this is also by design and the -- the Council made this decision early as well to -- really the issue before the Council tonight is fairly limited. Under the code that was adopted by the Council earlier this year that there really are two alternatives available to the Council tonight or on a going forward basis if you need additional time, but, really, the two choices are if you find that the plan that's been adopted by the committee meets the legal requirements for districts, then, the -- the ordinance reads that you shall adopt the plan and it will be codified by ordinance and published as such and alternative two is that the Council makes a finding that the plan before you tonight that was adopted by the committee does not meet those legal requirements, then, the Council can make that finding, in which case you would remand the plan back to the Committee for additional work to correct any deficiencies that the Council may identify. Those are really the two options or alternatives before the Council per the Meridian City Code that was adopted earlier this year. I want to talk just a little bit -- well, let me -- I guess for the audience's benefit and those that might want to speak during the public hearing time, these changes under the Mayor in particular was very strong on this issue. We wanted -- we are way ahead of the game. These changes will apply to the 2023 election, so we are well beyond -- we are a year or more out from the filing period for that election, but I know the Council and the Mayor wanted to make sure that everybody knew the rules of the game, the lay of the land and so that they can plan accordingly and so the idea is that we want to have these districts in place, sooner rather than later, and no -- no less than one year prior to the filing period for the 2023 City Council elections, so that incumbents and/or nonincumbents can plan accordingly and so we are well ahead of the game in that sense as well, but by design. Very quickly in terms of legal considerations, what I would describe as sort of a hierarchy at the top of -- of that pyramid or that hierarchy is the United States Constitution. There is ample case law out there that deals with districting, mostly in the context of state districting for congressional seats or for state office, but there is lots of case law dating back to the 1960s -- essentially evolves around the equal protection clause in the 14th Amendment that, essentially, you probably all have heard in one way or another the axiom of one person one vote. That really applies to the equal protection clause in that, you know, votes should count equally and there ought not be discrimination and that -- and my vote should count as, you know,

equally or weighted the same as the next person's vote and so lots of case law that talks about equal protection and what's evolved around that concept is, you know, the courts, starting with the Supreme Court of the United States and in other appellate court sense, have essentially established a threshold that says something to this effect that if the population deviation amongst the districts in question is less than ten percent, there is a presumption, essentially, that -- that that was done for -- in good faith and for good -- you know, for good cause. It -- conversely, if the deviation is ten percent or greater there is a presumption that it is a prima facie case that discrimination occurred and it becomes the burden of the government agency to demonstrate the discrimination did not occur. So, one of the things that the committee took to heart was they really wanted to reduce variation amongst districts and in particular to be below that ten percent threshold that has been cited by the United States Supreme Court and other appellate courts and so the plan that you will see tonight and you saw in your packet does accomplish that and is well below a ten percent threshold. The next consideration is the actual statute that the Idaho State legislature passed that was codified as Idaho Code Section 50-707(a) and that, essentially, provides some additional criteria -- that's my next on the hierarchy. I guess I will also tuck in between those two things Idaho Constitution, although the Idaho Constitution doesn't say much about local districting. There are some sections that deal with statewide districting and we do have something comparable to the Equal Protection Clause and so I would say that if we -- if we satisfy the U.S. Constitution requirement we have in all -- in -- in all probability satisfied the Idaho State Constitution as well and, then, the next on that hierarchy of laws that we need to be -- all to be mindful of and you in particular as decision makers is that state code section I referenced just a moment ago that talks about a couple things. One is that the districts have to be created by using one or more contiguous election precincts. So, under state law that in our case Ada county creates election precincts and they just did this earlier this calendar year. Those precincts -- I like to think about them as building blocks. So, those precincts become the building blocks, ultimately, for the districts that we are talking about tonight. So, all those building blocks -- blocks get configured into different districts and, obviously, there is many different permutations and different possibilities of how that might occur. So, it's a little more challenging and complex than it might first appear. The next piece, which very much relates to the equal protection discussion I mentioned earlier, is that the code -- or the Idaho Code talks about -- you know, the goal is to have to the nearest extent possible -- so, as a recognition that you are not going to have mathematical exactness, but to the nearest extent possible we need to try to have the populations between the districts to be comparable or roughly the same. But there is a recognition in the language that you are never going to have mathematical certain -- precision in that calculation and there is a line of court cases starting, again, with the Supreme Court of the United States, but other appellate courts that acknowledge that you are never going to have mathematical precision. In fact, there are some -- some instances where that may not be desirable. The courts have talked about that may not be to try -- to strive for mathematical precision might not be a prudent thing to do. And, then, lastly, we have the Meridian City Code that you all adopted earlier this year that talks about -- and this comes from case law largely, but talks about all the things I just mentioned, but also talks about trying to honor other principles of districting according to law, policy, and custom. So, there is lots of appellate court cases that talk about one of the reasons you can't have mathematical precision is

that you need to be mindful of things like geographic compactness, for example. There is desirability amongst -- in the districting business. There is an interest in having geographic districts that are more compact versus more spread out as sort of a -- a rule of -- or not rule, but a -- an operating premise that is used as districts are created is to look for geographic compactness and very much related to that is a recognition that you want to honor neighborhoods and communities of interest and not try to create districts that are -- you know, for example, that might spread from, you know, far south Meridian to far north Meridian, where folks that live at the far extremes may not have much in common and really don't view themselves necessarily -- maybe in a bigger picture they do, they are all Meridian -- you know, are residents of Meridian and voters, but they probably had different concerns and issues, because they live in different neighborhoods in different areas of the community. So, there is an idea in case law that talks about communities of interest in trying to honor the neighborhoods and things of that nature. So, it's a -- it's a complex process. There is lots of different variables and there is a hierarchy amongst those variables starting with the U.S. Constitution. So, with that that's sort of a quick primer on some of the -- the background for our discussion tonight. I'm going to ask Chair Greer to come up and talk about the committee's process and how they went about their work and how they arrived at the work product. I, of course, will stay close to the microphone and I'm happy to answer questions now or after Chair Greer finishes her remarks to answer any questions you might have from a legal perspective.

Simison: Council, questions?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Just one question. So, excuse me, in the -- in the first high level remark that you made in regard to the differential between the percentage allowed by law -- I believe is ten percent and so eight -- I believe the differential between the districts is eight point something percent; correct? About 8.9 rounded. That seems high. Was there any talk about a lower differential, especially with regard to some districts that have more potential growth than -- than those who -- than those districts that are more compact will have less growth?

Simison: And maybe we save that one for the commissioners who were on it as -- I think it's just anything legal right now would probably be best, because Kurt was not making decisions.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Thank you. Kurt, I guess one question. Any legal concerns from your standpoint with the map that's been presented to us tonight?

Starman: No, I think the committee went to great lengths to comply with the law and to produce a map that makes sense for the community. So, I do not have any legal concerns relative to the product. I will say parenthetically it is somewhat related to Council Member Bernt's question that we will save for Chair Greer, but, you know, in terms of -- I think, you know, the lower the variance -- that's a -- more of a safe harbor. So, the lower the variance I'm always more comfortable if I'm in front of a judge if I have a lower variance versus a higher variance I think that's a stronger position. But to answer the question, you know, directly and more explicitly, I -- I am not concerned with regard to the -- the committee's final outcome and I think that outcome is quite defensible from a legal perspective.

Cavener: Thank you.

Simison: Thank you. Any other legal questions from Council? Okay. Then, we will let Chairwoman Greer continue with the presentation.

Greer: Good evening, Mayor Robert, City Council Members. My name is Jo Greer. I have been serving as the chair for the City of Meridian Districting Committee, as Kurt mentioned. Our districting committee was comprised of city appointed commissioners from different areas of the city. We had six voting members, which were myself, Pam Jagosh, Megan Larsen, who is the vice-chair, John Nesmith, Steve Cory and Walter Steed. I felt that the committee was well selected and had a varying degree of expertise and demographics. We also had ex -- ex-officio members, which included Doug Green with IT, who was, then, replaced by Cindy Anderson. Brian McClure with the Community Development Planning. Caleb Hood, the Planning division manager. Trent Tripple with Ada county clerk's office. Of course, Kurt Starman, our city attorney, and Chris Johnson, our city clerk, and we did have Adrienne Weatherly step in for one of the meetings. The committee had held several meetings. April 18th, the 29th and May 5th, to review three proposed maps prepared by planning and IT. The three maps were shown with different pattern methodologies and different variant percentages. We did have another member Steve Cory, who took great lengths to come up with several additional maps that did show some different variances that were closer. We had some concerns with some of the maps and so I am going to share with you what led to the committee presenting the map that is before you. So, over the course of the last three months, as I said, we met to review proposed maps and consider different boundary options. Committee members were able to review potential map changes to see how they would affect the population variance and while this seems like a fun game of Taipei, it's really very difficult -- once you move one of the blocks it throws the variance completely out. I even tried just a couple of for fun to see how that would work. The committee felt strongly about district boundaries not dissecting neighborhoods, so having neighborhoods together as much as possible was a huge concern. Having more than one district south of I-84 -- I have been on the Parks and Rec Commission for roughly seven years and throughout the course of that time I have heard numerous residents south of I-84 express concern about feeling underserved. So, that was a big one for me. We also considered looking at the growth areas in our city, because this is based off of the 2020 census, which as we all know this is not really an accurate representation as of what is going on right now. So, we did try to look a little bit into the future. It was really hard with District Six having that one huge section in the

bottom corner that shows seven -- population seven. We were also trying to limit the districts crossing I-84. We couldn't completely eliminate that option, it just was impossible to come up with an option that kept within the ten percent variance and we wanted to keep, of course, the populations as close as possible. On the meeting -- the meeting on May 5th we voted for the maps provided by staff and modified maps. Two were selected. One was posted. We had a runner up, but we also, off of the wisdom of Trent Tripple with the Ada County Clerks Office, decided to post one map, as opposed to having two. So, that if -- if there was discussion, if there was concern we would have a second map to show the difference in variance, but kind of a similar situation. But the committee ultimately voted for the map that's before you. The first public hearing was held in the morning on May 20th. We had a few public comments. We had one resident who did ask some questions about the seat terms and dates, which most people have had that same question. At the June 9th hearing we had no comments, no attendees and this meeting resulted in the approval of Resolution 22-0001, which is a resolution of the Meridian Districting Committee to establish the Meridian districting plan and I, as chair, signed the resolution on Friday, June 10th. I commend my fellow committee members. This was no easy task, but we did power through it. The city staff have been indispensable throughout the process. Couldn't have done it, of course, without any of you and I just wanted to thank you for your time and this opportunity to serve the City of Meridian with this -- this was really an important task, so I'm honored.

Simison: Thank you, Jo.

Greer: Are there any questions?

Simison: Council, any questions?

Cavener: Mr. Mayor?

Simison: Oh, we will let her go ahead and answer Treg's question.

Cavener: Oh, sorry. I didn't hear that. Sorry, Mr. Mayor. I'm sorry.

Greer: We are good?

Simison: If you can just go into more detail maybe about --

Greer: Oh, on the --

Simison: The other -- the other maps that were considered in variances and why this one was selected over the other one.

Greer: We had --

Simison: Am I paraphrasing that correctly?

Greer: Is that what you are wanting? Okay. We had roughly I think six maps that we had before us. It was becoming evident as we had the IT staff moving some of the precincts around, that the numbers quickly would throw off our variance numbers. But we did have a couple that were a close runner up. Again, this one in particular -- so we voted and this is the one that we all voted on and there were, you know, some disagreements, of course. But this was the map that crossed I-84 the least, but still split the southern portion of the city.

Simison: So, was that the primary reason over one that had a lower variance?

Greer: Well, we had the city -- the city center having the neighborhood as, you know, downtown. We were kind of looking at neighborhoods, how they were grouped together in somewhat ecological pattern. It became a little more difficult -- as you get up into, of course, the northwest and there is a lot of development happening up here, but we also -- if we ran it across the back it kind of didn't make sense to go all the way from Ten Mile down to our furthest road, which is almost to Eagle and so it kind of formed a pattern that is a little nautical in shape. So, it made some logical sense. It's -- it was very difficult. I'm not going to lie.

Simison: Council, are there questions --

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Just a comment, Jo, as somebody who lives in south Meridian, I appreciate you advocating that we have more than one district in south Meridian. I think it's important for our community and just want to thank you personally for your advocacy around that.

Greer: Well, you are welcome. I care -- honestly, I have no idea where anyone lives as far as districts are concerned, so -- and I'm glad I didn't. Not that I would have been biased, but, you know, just kind of helps the process.

Cavener: Agree.

Greer: So, hopefully, I don't ruin anybody's day.

Simison: Jo, can I -- can I assume it would have been easier if the county clerk had made precinct lines along arterial roadways and not --

Greer: Yes.

Simison: -- cross into small portions of neighborhoods?

Greer: Let's throw the clerk in there. Absolutely. I was asked that question by some people about why we didn't follow arterials and it was these are the precincts that we have, but yes. Maybe talked a little bit about the county lines. Precinct lines.

Simison: Okay. All right. Seeing no further questions, thank you, Jo.

Greer: Thank you.

Simison: This is a public hearing -- oh. Sure. Come on up.

Starman: Thank you, Mr. Mayor, Members of Council. I just wanted just to -- for the record I should have said this earlier, but I wanted the Council to be aware that the Meridian districting plan before you today was a five-one vote. So, there was one dissenting vote and, then, to answer -- that was just part one I wanted to mention for the record. Secondly, I wanted to -- there was a question about other maps and so forth. So, I did want to just clarify that -- or just by way of example, as Chair Greer mentioned, the committee initially got down to a short list of two and, then, they had a -- their preferred map that they adopted. But the -- I will -- just to give you a point of reference, the other map that was being considered, it was on the short list of two, had a variance of about 4.9 percent rounded, just to give you a point of reference of what that looked like. It had some other issues that Chair Greer described, so I won't repeat that, but I wanted -- I wanted to better answer that question for you.

Simison: Thank you, Kurt.

Johnson: And, Mr. Mayor, we had nobody sign up in advance.

Simison: Okay. This is a public hearing. If there is anybody present who would like to come forward and provide testimony on this item at this time -- or online you can use the raise your hand feature online or come forward. And if you can state your name and address the record, please.

McKinney: Wendy McKinney. 6173 North Silver Elm Way. I'm just curious as to how -- if it's even possible to impose like school districts and, you know, other election situations on there, like the ACHD and, you know, we have City Council here, but there is all sorts of other elected situations that are on top of this and I'm just wondering as they went through the process -- they didn't mention whether or not they looked at those types of things, so I was curious about that. Thank you.

Simison: Thank you. Council, any questions? Okay. Well, we will let the committee answer that at the end. Is there anybody else that would like to provide testimony on this item at this time? Seeing no one coming forward and no one raising their hand online, would the chair like to come forward and answer that question that was just asked by the public? Or both? Okay. Okay.

Greer: Go ahead.

Starman: Chair Greer and I were just discussing whether we had any recollection of that. I do not recall the -- the committee discussing boundaries for other political entities, such as ACHD or school districts. As you know, just to use those two by way of example, the Ada County Highway District encompasses the entire county and so it really is kind of an apple and orange analysis similar for the school district. Not quite as big as the entire county, of course, but still bigger than the boundaries of the City of Meridian. So, the committee -- to the best of my recollection the committee did not consider other boundaries established by other political entities -- other government entities.

Greer: I concur with -- with Mr. Starman that we specifically focused just on the city census and the six district seats. So, we did not take anything else into consideration as far as -- we didn't really overlap or overlay in a way that would have made sense.

Simison: Thank you. I can say anecdotally there is one Owyhee, one close to Centennial, one close to Rocky, one Mountain View and two that would encompass most of Meridian. Not exactly, but it's not that far off in a lot of ways, so -- Council, any additional questions? Okay. Mr. Starman, would you like to provide Council next steps and direction as you see it from here and options once again, so they can make the appropriate action.

Starman: Thank you, Mr. Mayor, Members of Council. So, first of all, because I was conversing or trying to refresh each other's memories, I just wanted to confirm that Council did close the public hearing.

Simison: Not yet.

Starman: Okay. So, once you are satisfied with the input you received or -- of course, your other option is you can continue the public hearing if you want to continue to solicit input, but if you are satisfied with the public hearing tonight, your next step would be to close the public hearing and, then, to take action. As I mentioned earlier, you really have -- Council has two alternatives before you according to the Meridian City Code. Alternative one is that the Council finds that -- determines that the Meridian districting plan complies with law, then, really, your role is that the language in the ordinance is you shall adopt an ordinance adopting the Meridian districting plan. That's alternative one. If you do find yourself in that situation, if that's where you -- after deliberation if that's where you wind up, we do have an ordinance later on your agenda for the City Council's consideration that you could adopt tonight. You are not required to, of course. We just added that so that you could take action if you choose to. That's alternative one. Alternative two is if you find that the plan before you is lacking and does not comport with law, then, your option in that situation would be to remand the plan to the committee to be remedied. The committee would attempt to remedy whatever deficiencies the Council identified. That plan would come back to the Council for further consideration at a later date. Those are your two choices after you close your public hearing tonight. Happy to stand for any questions you might have.

Simison: Thank you, Kurt.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I appreciate the presentation, the explanation, and we all appreciate that. The -- the detail of work that the committee did, the legal review to ensure that it's accurate, there is really one item on the list that the process is procedurally and substantively accurate and lawful and you have met the mark it sounds like and that's what -- that's kind of all we cared about. So, having a public hearing and the opportunity for the public to participate in the committee was important. Today was important. Whether they choose to or not, that also procedurally was important to us to make sure the result was correct. So, in light of all of that that you presented and accomplished, I move that we close the public hearing on Item 1, the Redistricting Commission Resolution 22-0001.

Cavener: Second.

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

MOTION CARRIED: ALL AYES.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I -- I just want to say thank you to this Commission that was put together. These commissions are -- they -- they -- they take a lot of time, they take a lot of effort and they take a lot of thought and it's just wonderful to see citizens in our community that care enough to be a part of it. So, thank you so much to the Commission. At the end of the day, it's just really quite simple. I mean is this a lawful map or -- or these districts lawful. Was it put together in a lawful way and -- and I think that it's evident that the answer to that question is yes. So, I just wanted to say thank you to Chair Greer and her -- her commission for doing this superb job, being transparent in all things, above board and thank you so much.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Yeah, I will echo that. Thank you, Chairman Greer. I think I saw Mr. Cory in the audience. I appreciate you being here as well. Mayor, I also -- you know, I try to believe in giving credit when credit is due and I just want to thank you, Mayor. You were aggressive on this process, so that our public knew what the maps looked like early on. I think you worked hard to grab a good cross-section of board members from our community. It would be really easy for us to kind of do this administratively and not take

these extra steps and I appreciate you being a cheerleader to make sure that we did this really transparently and involve the public at every step along the way. So, just my appreciation to you as well.

Simison: Thank you, Councilman. So, one thing, Kurt, I didn't understand. Do you need Council to make a motion or is it just the passage of the ordinance later that it would suffice in this case?

Starman: Thank you, Mr. Mayor. Yes, no action required at this point in the agenda. The action item will come when you are asked to adopt -- consider and potentially adopt the ordinance that's later on in your agenda.

Simison: All right. Thank you, Kurt. And if I could just say echo the sentiments of all Council for thanks for your extra time. I know that was pulling double duty for all six members of the Commission from your other Commission that you were already appointed for the city and we really appreciate your time and effort and energy and next time we will try to get you some better precincts to work on, so we can keep those committees together just a little bit better. Thank you.

**2. Public Hearing for TM Creek GI Irrigation Easement VAC (H-2022-0032) by Stephanie Hopkins, Located at 158 S. Innovation Ln. (Parcel R8483020040), near the southeast corner of S. Ten Mile Rd. and W. Franklin Rd.**

- A. Request: To Vacate a Private Irrigation Easement on a Portion of Lot 12, Block 2 of the TM Creek Subdivision No. 2

Simison: So, with that, Council, we will move on to Item 2 for the evening. Public hearing for TM Creek GI Irrigation Easement VAC, H-2022-0003. So, I will open this public hearing with staff comments.

Tiefenbach: Greetings, Council. Alan Tiefenbach, associate planner with City of Meridian. This is a proposed easement vacation. The site consists of just a little less than two acres. It's zoned C-G. It's located near the southeast corner of South Ten Mile Road and West Franklin Road. A quick easement, but the background is this is part of the 45 acre TM Creek development. This development was annexed with a preliminary plat for 49 lots in 2014. On the left is the subdivision plat of the approved plat. The applicant intends to merge Lots 12 and 13 -- that's what you see here -- together with a parcel boundary adjustment to construct a future building. That building footprint you would see here. However, the building encroaches onto a private gravity irrigation easement. That's what you see in the yellow here. There is presently a 12 inch irrigation pipe constructed within the easement, but since it's private they don't need to get relinquish -- relinquishment letters from the easement holders, they would be moving this easement to the south. That is the extent of this proposal tonight, Council people.

Simison: Thank you, Alan. Council, any questions for staff? Okay. Is the applicant here? State your name and address for the record, be recognized for ten minutes.

Scott: Cam Scott. 5725 Discovery Way in Boise. Here on behalf of KM Engineering. We agree with staff's recommendation. One correction that I believe the irrigation pipe is to be relocated to the north, not the south. But other than that I'm willing to stand for questions.

Simison: Okay. Council, any questions for the applicant? All right. Thank you. This is a public hearing. Is there anybody present that would like to provide testimony on this item? If so come forward at this time or use the raise your hand feature on Zoom. Seeing no one coming forward or raising their hand, does the applicant waive any final comments? The applicant waives. So, Council, do I have a motion to close the public hearing?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Real quick, Alan. The notes -- planning notes reference moving it to the north as well?

Tiefenbach: I will double check on that, but it is being moved to the north. I think he said it was -- it was mentioned it was south, but it's actually to the north.

Borton: North. North.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move that we close the public hearing for H-2022-0032.

Borton: Second.

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

**MOTION CARRIED: ALL AYES.**

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: After hearing all staff and applicant testimony, I move to approve File No. H-2022-0032 as presented in the staff report for the hearing date of June 28th, 2022.

Borton: Second.

Simison: I have a motion and a second to approve this item. Is there any discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: ALL AYES.

**3. Public Hearing for Jump Creek South (H-2022-0006) by Kent Brown Planning Services, Located at Parcel #S0428449595 at the northwest corner of N. Black Cat Rd. and W. McMillan Rd.**

- A. Request: Preliminary Plat consisting of 20 single-family residential lots and 4 common lots on 3.57 acres of land in the R-8 zoning district.

Simison: Next item up is a public hearing for Jump Creek South, H-2022-0006. We will open this public hearing with staff comments.

Tiefenbach: Mr. Mayor, Members of the Council, this is a proposal for a preliminary plat. The site consists of just about three and a half acres, zoned R-8, located at the northwest corner of West McMillan Road and North Black Cat Road. Jump Creek South this is called. So, there was an annexation, a preliminary plat, and a development agreement that was approved by the Council in November of 2014 for the Jump Creek Subdivision. That's what I'm showing here on the vicinity map on the left. So, here is Chinden. Here is Black Cat. Here is McMillan. Here is the entire Jump Creek Subdivision. This was 318 single family lots at the time and two multi-family lots. So, what you are seeing on the right is what was the approved preliminary plat. There was a multi-family lot here, if you can see where I'm circling at the top, and there was a multi-family lot that was approved down here and these two multi-family lots were approved for 14 -- 14 -- excuse me. Nineteen fourplexes total. Six plats of this so far have platted out, which is a total of 308 total lots. That includes seven multi-family lots. So, this area here has already platted out and there is a conditional use that was approved for this. In 2021 the Planning Commission approved that conditional use for the first seven fourplexes. I have put these here to give you a comparison to see what's going on, because it's -- it's -- what -- what's being proposed is actually very simple, but the background is kind of complicated. So, on the left this is the property that was the seven fourplexes. Well, what happened was is when -- when we looked at the conditional use for the seven fourplexes we realized that Jump Creek No. 4, which was the plat that allowed this, actually platted out these

fourplexes on seven lots. The problem was that when this was approved it was actually approved to only be one lot, not seven. We talked to the applicant about that and the applicant noted that the second multi-family lot, which is the one that you see down here at the bottom, this was also going to be platted out for 12 additional lots, although the original preliminary plat only showed them each being one lot. The problem with this is that even though the number of units have not changed at all, the number of lots have. It was a little bit perplexing to us, but what we decided to do -- we talked to the applicant about this and the applicant was moved -- is moving forward with platting this out as planned with all the units exactly as planned, but the last 20 lots, which is what you see down here on the south, is being platted out as a new preliminary plat and this would be the Jump Creek South plat. Again, the whole reason for this plat is just because they ended up having 20 additional lots because of platting out the individual fourplexes and this is the way that we are remedying the situation. So, it's important to note that there is no new -- no new units. All of the open space and all the amenities are still being shared by the same development agreement. This is purely just a -- more of an administrative issue to correct a platting error. Hopefully I was able to explain that well. I would certainly be happy to answer any questions.

Simison: Thank you, Alan. Council, any questions for staff? Seeing no questions, is the applicant here?

Johnson: Mr. Mayor, Mr. Brown is online.

Simison: Okay.

Johnson: Kent, they are ready for you if you want to unmute.

Brown: This is Kent Brown. My business address is 3161 East Springwood, Meridian, Idaho. Hopefully you can hear me.

Simison: Yes, we can, Kent.

Brown: Alan's accurately described this. Phase six of the subdivision has these -- these preliminary plat lots as a -- a lot to be future divided. The public streets are being platted with phase six. So, this is just to rectify the land division that we did in the multi-family and we appreciate staff's help in allowing us to do this. I will stand for any questions. We are agreeable with the staff report.

Simison: Thank you, Kent. Council, any questions for the applicant? Seeing none, Mr. Clerk, do we have anyone signed up to provide testimony?

Johnson: Mr. Mayor, we did not.

Simison: Is there anybody in the audience that would like to provide testimony on this item or online use the raise your hand feature. Seeing no one coming forward or raising their hand, Mr. Brown, would you like to waive your final comments?

Brown: I would.

Simison: Okay. Then, Council, turn this over to you.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: It is very straightforward from the applicant's comments and the staff report, so I move we close the public hearing on H-2022-0006.

Strader: Second.

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

MOTION CARRIED: ALL AYES.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I move that we approve H-2022-0006 as presented in the staff report of June 28, 2022.

Strader: Second.

Simison: I have a motion and a second to approve Item 3. Is there any discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: ALL AYES.

Brown: Thank you.

**4. Public Hearing for Ferguson Townhomes (SHP-2022-0007) by Mathew Ferguson, Located at 1335 NE 4th St., Lot 1, Block 1 of the Olive Dale Subdivision No. 1**

- A. Request: A Short Plat consisting of 2 buildable lots on 0.307 acres of land in the R-8 zoning district.

Simison: Thank you, Kent. Next item up is Item 4, which is a public hearing for Ferguson Townhomes, SHP-2022-0007. I will open this public hearing with staff comments.

Tiefenbach: Thank you, Mr. Mayor. This is an application for a short plat. There is the property and it's .31 acres, zoned R-8, located at the southwest corner of East Valley and Northeast 4th Street, which is roughly east of North Main Street and north of East Pine Street. The applicant proposes to replat Lot 1, Block 1, of the Olivedale Subdivision into two lots. This would be for the purpose of constructing one duplex -- or, excuse me, one single family attached with one unit on each lot. On the left is what they are proposing to do. Here is the two lots. On the right is the single family attached unit that they are proposing to build. The -- the short -- a large portion of this property that you see here is shown to be within a hundred -- a hundred year floodplain. That's what you see hatched here. The floodplain administrator has noted that there is a floodplain permit that would be required prior to building permit. Applicant and their engineer is well aware of this. The short plat has a note on it that talks about where the area of this floodplain is and that there would be compliance with our floodplain regulations. There is specific engineering regulations if you are building within the floodplain. We have reviewed this and we have no comments except for one thing. If you -- you can't really see it probably too well on the screen, but R-8 zone district requires a 40 foot lot frontage and if you look at these, this one is 41 feet long and this one is 39 feet long. It would really just require shifting the internal lot line one foot to have two 40 foot lot frontages. With that staff has no other comments and that would conclude my presentation.

Simison: Thank you. Council, any questions for staff? Seeing none, is the applicant here? If you would like to state your name and address for the record and be recognized for up to 15 minutes.

Ferguson: My name is Matt Ferguson. I live at 652 East Bonita Canyon Street here in Meridian. Nice job, Alan. That was very accurate what he described there. Yeah. Just looking to be able to split that one lot into two. Any questions you guys have?

Simison: Council, any questions for the applicant?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Do you have any issue with shifting the lot line as described by Alan?

Ferguson: No.

Strader: Okay. Thanks.

Simison: Council, any additional questions for the applicant? Okay. Thank you very much.

Ferguson: Thank you.

Simison: Mr. Clerk, do we have anyone signed up to provide testimony?

Johnson: Mr. Mayor, we did not.

Simison: Is there anybody present that would like to provide testimony on this item at this time or online, you can use the raise your hand feature on Zoom. Seeing no one coming forward or raising their hand, would the applicant like to make any final comments? Applicant waives. So, Council, turn it over to you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I move that we close the public hearing.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: It's a great in-fill project. I like the efficiency of it. I think it will work out. After considering all staff, applicant, and public testimony, I move to approve File No. SHP-2022-0007 as presented in the staff report for today's hearing date and including as described by our planning staff, shifting the lot line one foot.

Borton: Second.

Simison: I have a motion and a second. Is there any discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: ALL AYES.

**5. Public Hearing for CentrePoint Mixed-Use MDA (H-2022-0035) by Givens Pursley, Located at 3100 N. CentrePoint Way and 3030 N. Cajun Ln. near the southwest corner of N. Eagle Rd. and E. Ustick Rd.**

- A. Request: Development Agreement Modification to modify the existing development agreement (Villasport, Inst. #2019-060877) for the purpose of updating the concept plan and provisions to construct a mixed-use development consisting of commercial space and multi-family development in lieu of an athletic club and spa on 11.17 acres in the C-G zoning district.

Simison: Next item up is a public hearing for CentrePoint Mixed Use, MDA, H-2022-0035. We will open this public hearing with staff comments. Joe.

Dodson: Thank you, Mr. Mayor, City Council. Good evening. As noted this application before you next is a mix -- sorry -- a modification to a development agreement. The site encompasses two parcels surrounding the southwest corner of northeast -- sorry -- North Eagle Road and East Ustick Road. These parcels were part of a development modification and conditional use permit in 2019. The purpose of those applications were to enter into a new DA with a new concept plan of building elevations and a CUP for -- with a request for a new athletic club and spa, which was known as the VillaSport. VillaSport is not going forward and the property has since been sold to the current owners. The approved DA depicts an approximate 90,000 square foot two story gym with an outdoor pool adjacent to the south boundary and closest to the existing residential to the south. Included some ancillary commercial along Eagle Road as well, which does have existing approvals for a drive through. The traffic impact study was required with those previous approvals and estimated approximately 3,200 additional daily trips based off of 2018. This volume of trips recommended certain roadway improvements, including construction of an eastbound right turn lane from Ustick Road into the shared private drive aisle, which would be located here. This -- this eastbound right turn lane. This drive aisle is technically unnamed, as it is a commercial drive aisle, but is essentially an extension of North Cajun Lane, which is a private lane right here. The right turn lane and internal drive aisle connection to Cajun Lane is constructed and fully functional today. The subject DA modification is for the purpose of terminating the previous DA in order to enter into a new DA -- enter into a new DA consistent with a new concept plan and provisions. Before getting into the details of that plan and the perspectives, I find it necessary to analyze and discuss the project in a broader scope and in terms of the -- sorry -- the future land use designation. The subject site is designated as a mixed use regional on the future land use map and as part of a much larger mixed use regional area along the Eagle Road corridor that includes The Village, Regency River Valley Apartments, as well as multiple other commercial and other undeveloped areas. Specifically within the mixed use regional area and this southwest corner of Eagle and Ustick there is Jackson Square development and commercial buildings to the south and on the hard corner to the northeast. The Comprehensive Plan discusses that projects should not contemplate uses across arterials, even if they share the same future land use designation, as it is not anticipated for users or residents -- residents to really walk or bike across these major

transportation facilities. However, staff finds it prudent to analyze all projects in this area with at least the four corners along the Eagle and Ustick intersection, because, in reality, the transportation impacts and the expected users will come from and go beyond just this southwest corner. Staff believes that the proposed project is generally consistent with the mixed use regional designation, because the subject mixed use regional area currently consists of a number of retail, restaurant, office and residential uses available to the region and -- and the addition of these units should not oversaturate this area as residential. The submitted concept plan depicts five multi-family buildings with internal access. They are not garden style. And two commercial buildings. The multi-family is split into three four story buildings, which are in the larger area and two three story buildings here and, then, there is originally showing two commercial buildings along the east side. This is the plan that was submitted. The applicant and I have discussed other comments that I made in my staff report and they have proposed a slightly different concept plan, which I believe they will have in their presentation. The submitted plan depicts at least a 25 foot landscape buffer along the entire perimeter of this site, except for the very southeast area of the site that abuts commercial uses to the south. Further, it appears that no building is proposed within 150 feet of the existing residences to the south and that includes the 25 foot buffer, carport parking, a drive aisle and surface parking between the proposed four story apartments and the existing homes. For comparison, VillaSport was approved approximately 65 feet from the existing homes. So, it is more than double the distance. Staff finds the separation should significantly help any -- help mitigate any issues with the high disparity of these existing two story homes and the proposed four story apartments. ACHD did not require a new TIS, since it's, one, an MDA and, two, there is already an existing TIS on the site. Instead they requested an abbreviated study, which with turn lane analysis, parking analysis, and an updated trip generation for the multi-family use. The applicant performed the requested analysis and provided an abbreviated TIS to ACHD and -- and staff. According to the document the proposed project is anticipated to generate approximately 1,249 daily trips, which is a reduction of nearly 2,000 trips per day from the previously approved use. Therefore, the proposed project is anticipated to generate less than 40 percent of the previously anticipated vehicle trips. This is a significant reduction of vehicle trips for the adjacent local and arterial -- local and private streets, as well as to the arterial roads. Staff did note concerns in the staff report with the overall open space and, then, the layout of the southeast area of the site. Staff did meet with the applicant as I noted. They presented a couple of options that do comply with the minimum code requirements that I had available. Again, this is a DA modification, so I did not dive into those, because I don't have every specific detail. But the applicant did submit a site plan that was much more detailed as -- in terms of a concept plan. Now, as of around noon today there was one piece of written testimony from a neighbor, I believe. Their concerns were as follows: That the proposal before you tonight is vastly different than existing approvals. Issue with the proposed four story buildings in comparison to the two story homes. Concern over increased traffic at peak hour times for residential versus the previous approved use and an assumed increase of crime for vehicles on the west side of CentrePoint Way and this parking lot and these are just some of the perspectives that were submitted that show what they are proposing. Specifically the one on the top left shows from the CentrePoint

and -- I cannot remember what that street is. Oh, Picard Steet. Yeah. Looking kind of east to northeast. I will stand for any questions at that point. Thank you.

Simison: Thank you, Joe. Council, any questions for staff?

Hoaglund: Mr. Mayor?

Strader: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor. Joe, the traffic impact review does show the reduction, but do they take into account time of day for those? Like I would think a business versus housing is -- has a different impact.

Dodson: Yes, sir. In the analysis -- sorry, Councilman Hoaglund. They actually do specifically label the a.m. and p.m. I didn't put it in my -- my hearing outline tonight, but there was a reduction in both of those as well. I think the percentage reduction of the overall to the p.m. is not as great, but there is, because the overall trips are less there was a reduction in the p.m. and the a.m. peak hour traffic according to the study, yes.

Hoaglund: All right. Thank you.

Dodson: You're welcome.

Simison: Council Woman Strader.

Strader: That's okay, Mayor. I'm going to hold my question for later.

Simison: Okay. Are there any other questions from Council for staff at this time?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Joe, you -- you did a great job with your staff report by the way. I thought it was very thorough. You had mentioned on page four, I believe, a list of four things that you believe needed to be modified and one of those was going to basically have like a domino effect. So, if the density changes, the parking changes, open space changes. I didn't see anything in the file from the applicant addressing these four items and so I don't know what we are going to hear tonight, but I guess as -- as -- you know, with the DA modification we are looking at the concept plan. I didn't see anything else in the file that showed a different concept plan. Have you been able to review anything from them that addresses some of these issues?

Dodson: Council Woman Perreault, thank you. Great question. Yes. The applicant submitted two different ones to me. Because he -- I mean, essentially, wants to have the discussion with Council as well, did not submit it as a public record at this point or at least prior to the meeting, but he does have those to present tonight and we will have -- I'm assuming some discussion on it. There is Option A and Option B. Both are much more compliant with those items that I noted, one open space, two parking, and the buffer along Eagle. Specific note about the open space. One, I didn't note it specific enough in my staff report that the open space along the arterials can count if it's done through the CUP process, which would be their next step. I didn't note that. So, my initial statement of it shouldn't count is not entirely accurate. It can, but there is no guarantee. Secondly, we are proposing a updated code change to make that provision in current open space would go away anyways and have it more in alignment with the single family open space standards. So, basically, if they have some enhanced landscaping along the buffers, then, it can count anyway. So, my open space qualms initially in my report are not as serious as I initially stated. I will note, just because the density -- and I didn't have dimensions on everything -- I have some concern overall and that, frankly, would be handled with the CUP as we know with the Planning and Zoning Commission and once I have a more detailed open space exhibit and site plan I can dive into that more, but the applicant -- the specific things I noted in my staff report -- as I did note in my staff report there is -- you could skin this cat 17 different ways and propose something different, which I think is why the applicant didn't want necessarily something submitted on the record right before the hearing as a response. He has a preferred and I think it works. It's a -- I think going to be kind of the flavor of what Council wants tonight.

Perreault: Mr. Mayor, one more question if I may.

Simison: Council Woman Perreault.

Perreault: Thank you. So, we had heard an application for the property to the north recently and with the volume of information I have read this week I can't remember if we -- if we continued that, but -- or if we -- what our -- what our vote was on it. But I do remember there being a proposal for two more drive-throughs immediately to the north. So, it concerns me now that we might have a Starbucks drive through and then -- so, would you remind me the result of that applicant -- application? I apologize for my memory lapse.

Dodson: No problem, Council Woman Perreault. I actually wasn't here for that hearing. I think Bill presented that for me, which I appreciate. It was denied, actually, by Council as a DA mod, because it was a change from two retail buildings to two drive-throughs. My understanding -- they have not submitted yet, but my understanding is they are going to propose a different DA mode with only one drive through and not two for that actual hard corner, but there will probably be one more drive -- everybody wants a drive through right now because of post-COVID. But this drive through on this site already has an approval from City Creek Commons CUP I think. This -- Planning and Zoning Commission did a while ago, so as long as they don't make any major changes to that site plan, which -- especially with the revised site plan that I saw earlier, there -- they

shouldn't -- it should they could build it right now if they wanted to on this area, the very southeast corner. So, I understand your comments, but there is not really anything I can do about that piece of it.

Perreault: Thank you.

Dodson: You're welcome.

Simison: Council, additional questions? All right. Then would the applicant like to come forward, please. Good evening, Deb.

Nelson: Good evening. Joe, are you working to pull up my --

Dodson: Yeah. Trying to find it.

Nelson: If you wouldn't mind just giving me a minute.

Dodson: A little technologically challenged today. Sorry.

Nelson: Thank you. Good evening, Mayor, Members of the Council. Deborah Nelson. 601 West Bannock. Land use counsel with Givens Pursley. I'm here on behalf of the applicant and owner MGM Meridian. Mike Maffia with MGM is also here and is going to share the presentation time with me and other representatives of the applicant team are here and available to answer your questions. Thank you very much to Joe for his work and collaboration on this project. It's been an evolution in the site plan and we appreciate his time. As has been discussed we are proposing a mixed use project on this 11 acre parcel near the intersection of Ustick and Eagle Roads. This aerial shows the in-fill nature of the development. The hard corner now is developing and under development, which isn't shown in that aerial and tonight we are just here on the DA modification, but we are providing a lot of details, so you know what to expect. So, as Joe mentioned, more details than you normally get in a concept plan. A CUP will follow for the multi-family use. As the staff report concludes, the proposed use is consistent with the mixed use regional designation that this property falls within. This MUR area, as you know in your code, calls for a mix of employment, retail, and residential uses, with residential densities ranging from six to 40 units per acre. This particular area covers this large stretch along Eagle Road, including The Village and other large commercial uses, including Kohl's, Dick's, Hobby Lobby, Lowe's, Trader Joe's and others, along with some residential uses and as the staff report concludes, adding higher density residential on the site will support that existing commercial and will not saturate the area with too much residential. The surrounding zoning is compatible with the uses that are proposed. We have got C-G on three sides and some medium high residential density of R-8 and R-15 to the west and the south. The proposed density of our multi-family will provide a nice transition from the big box retail to the north across Ustick and also the busy commercial corner. As was noted, the 2019 DA that currently applies to this property contemplated a VillaSport, a 90,000 square foot athletic club and spa, plus a large outdoor pool with outdoor speakers. The building was set back less than ten feet from the southern property line and obtained

a variance for the outdoor speaker system to be within 25 feet of the adjacent neighborhood. Here is some elevations from the DA. It is a big box style format. Though technically a two story, it was planned as a 36 foot tall building with a 40 foot tall tower. The use generated over 3,200 daily trips and over 300 p.m. peak hour trips. The proposed site plan in turn moves away from that big box concept, breaks up the buildings, adds residential use to create a mixed use community with open space and gathering areas, as well as the retail space along Eagle Road. More consistent with the layout and the mix of uses called for in your comp plan for the MUR area. The closest building is a comparable height to VillaSport, 48 at the peak, versus the 40 foot at the peak of the VillaSport. But unlike the approved VillaSport, it is set back a hundred feet into the site, instead of less than ten, and creates 150 foot buffer to the closest residence. That's illustrated here with this cross-section, which the staff report concluded this distance did mitigate the difference between the four story and the two story homes, you know, because at this distance and especially with the intervening significant landscape buffer, the -- the use will be screened and will not be impactful to the neighboring residential development and, in fact, the use is less impactful in terms of traffic, because as has been discussed the daily trips generated by this use are at least a third less than those generated by VillaSport, with only 101 p.m. peak hour trips versus 303. If the site, just by comparison, were developed as all general commercial with a conservative 25 percent coverage the p.m. peak hour trips would be five times higher than the proposed mixed use with 555 p.m. peak hour trips. So, the proposed reduction from what could be general commercial or the approved use of VillaSport benefits the immediate neighbors and the larger Eagle Road driving community. So, our ask of you tonight, before I turn this over to Mike, is to approve the DA modification with staff recommended conditions with a slight change to condition number six regarding the site plan. Council Member Perreault, you asked about the four items in Joe's list. The first three are acceptable and shown in the revised site plan, dealing with the buffers and the pathways and, then, the fourth item regarding site plan changes in the eastern side of the site Mike will address. So, I will turn it over to him now.

Maffia: All right. Great. Good evening, Mayor, Council Members. Thanks for allowing me to present this evening. I'm Mike Maffia. I'm the owner of the 11 acres there. I'm the stakeholder. I'm a long term investor and developer. I'm very passionate about development and look at projects for the long term. Multiple generations to build functional properties that are going to survive, you know, the passage of time, not ten or 20 years, but 30 or 40 years and that's relevant to this conversation. When I approached this site I brought in the local experts and did an informal RFP with several architects to study the feasibility of this site. Work with the experts like Roundhouse and national developers like Fairfield. I worked closely with staff on several occasions and I probably went through at least a couple dozen site plans. So, a lot of thought went into what we have presented tonight and a quick note of just, you know, I travel the country and constantly trying to incorporate the successes and avoid the failures of development, because there is a lot of both. So, here is an overview on the site and I think the strengths are obvious. It's the second busiest intersection in Idaho. It's very mature. It's dense. It's in-fill. There is great amenities. You know, employment, entertainment, retail. But there are some -- also some challenges, which can happen with the last remaining unbuilt

portion of a major intersection, which is what we have here, to name a few of the challenges. Unfortunately, the corner was already developed prior to my involvement and, you know, so it limited our ability to -- to kind of integrate something that was harmonious and what you would do in kind of an ideal situation you would want to anchor that corner with -- with -- with something a little bit more substantial. It also blocks visibility to -- to the rear of the site. Also we have a Milk Lateral that runs laterally through the site and, then, two drive aisles and, then, lastly, it is a -- well, it has an irregular shape and kind of a tag in that eastern quadrant. So, those are the site challenges that we -- that we were faced with. So, given those constraints and, then, also meeting with staff on several occasions, we developed this site plan, which has some efficiencies from a multi-family and a retail standpoint. Some of the feedback from staff that we incorporated was to really create a strong connection between the retail and the residential components with this kind of paseo that extends -- extends to the west. Also at the corner of CentrePoint you will see we have activated it. Here is a rendering of, you know, a very functional building. It's not retail, but it is a leasing facility that activates the corner with a lot of glazing. Personally I think it's more appropriate than, you know, mediocre retail and would support the residential, but also as I can activate the space and just speaking a little bit to my vision, again, building for a multi-generation, you know, high quality design. Use of materials is very important to me. I have built everything from historical landmarks to retail projects. My retail project recently got retail project of the year. It's kind of ironic that I'm talking to you about changing a use from retail. I have done millions of square feet of retail. I love retail. It's where I cut my teeth. I -- I worked with probably the largest national tenant rep company. We rolled out Costco and Target and Starbucks and did hundreds of locations, but the trends are changing and I'm changing. I'm pivoting as I move through that and I think to create something really timeless it's -- it's -- it's -- it's got to be at scale and I think the scale fits with the area. Use some materials here will be very rich and they will be good, you know, architectural articulation. That will give the buildings depth and, then, a landscape, you know, often overlooked. I tore a lot of projects here. Some -- some are done better than others, but, really, you know, creating a landscape pattern that kind of speaks to the -- the native landscape I think is really important about creating authentic approachable spaces, you know, bringing -- creating spaces where people are going to, you know, community -- it's eating and -- and it's bringing together families. Barbecues on the weekends. And I think this site would live really well with that mix of retail and proximity to the Trader Joe's and The Village and that's kind of -- kind of some of the vision behind this vernacular and, then, also the experience that I'm trying to create here, because at the end of the day for me what's important is to create an enjoyable experience in something that will be used by the community. And, then, speaking to kind of retail, residential, what's that appropriate balance? This is a hot topic. This is the competition map for -- for Meridian and as you can see it's pretty saturated and I would say it's bordering kind of an oversupply of retail. You currently have about -- there is currently about 400,000 square feet of vacancy and some of the early indications is just looking at the void analysis. There is a tremendous amount of redundancy and uses. You know, seven grocery stores, seven gyms, four pet food stores, home improvement, 11 sporting good stores, all the while large format retail is not growing anymore. In fact, the trend in retail is everyone's going smaller and some of the early indications of -- of -- I would say a very mature saturated retail market is

prolonged vacancies. You know, next door across the street to the Trader Joe's, that box has been vacant for -- since 2017 and I don't want to build retail just for the sake of building retail and run the risk of -- of having kind of second generation or discount tenants and that -- that is something we are seeing a lot of throughout the country when you kind of reach saturation. Here is another slide from Colliers on a recent study showing, you know, relatively speaking, Meridian has the highest vacancy in the -- in the Treasure Valley. Even across the street you are seeing a trend of de-retail. There was a recent tap room that's being proposed to be deconstructed for a 2,200 square foot Chipotle. Even -- even the big boxes, we are seeing the same trends in small format retailers. The 2,500 square foot tenant is now 1,500, because of labor constraints. Inflation. They are trying to do more with less square footage, less cost. I could talk at nauseam about that, because this is what I do, but you don't want to hear that. But it's a very, you know, important I think trend and something to pay attention to as developers as we try to build functional buildings for -- that can withstand the passage of time.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Sorry to interrupt. I -- I sort of find it intriguing what you don't want to talk about, to be completely honest with you. I mean you see what are the trends -- he will stop your time, so you put any time.

Maffia: Oh.

Bernt: So, what are -- what are -- what are the trends that you are seeing?

Maffia: Well, even before the pandemic you were seeing virtually -- very very little expansion of large grow tenants. You know, 15 years ago Target, Best Buy, Cost Plus, all the soft goods were expanding. Walgreens was doing three to five hundred stores a year. Firms like Hawkins Company were some of the larger developers doing those rollouts. That's not happening. It's come to a halt. Those -- those companies are selling more volumes and the advent of e-commerce that was accelerated with the pandemic, you are seeing -- you are seeing growth with smaller format drive throughs. That's Starbucks, Chipotle, the Dutch Brothers of the world. You are seeing in the large boxes, you know, that growth has been in fitness. It was just second generation big box, like discounters, like Dee Dee's, trampoline, swim schools, you know, tenants that need a lower cost basis. So, that space across the street next to Trader Joe's is at 14 dollars a foot. You could never build at those rents on a large format and, you know, in retail, you know, what I have learned -- and I mentioned that project I got a recent award on, is we built smaller buildings. We don't build 10,000 square foot strip buildings anymore, we build 6,000 square foot buildings. If you want to activate this streetscape we try to do it with -- with -- with great active retailers and we try to get people to wrap up by the paseo. I will have to show you a site plan and I can show it to you when we get to it, but I have had, you know, a lot of success with how close do you push that building to activate the street and is it the glazing? I mean there is so many examples of -- of failures where, you

know, developers stand up before city council and they say, oh, we are going to -- we are going to activate the street with all this glazing and you are going to see through it and, then, ultimately it gets built and there is -- you know, there is film on it. So, I think it's -- it's important to build smaller buildings with great tenants and get those tenants to kind of wrap the outside of the buildings and that's a whole other conversation about design, but you will see a lot of long buildings and you will start noticing, maybe now that I have mentioned it, that the interior ends up with kind of less desirable tenants and it loses its energy and, you know, I -- I speak a lot to national tenants and grocery store owners about the right mix of retail box to shop ratios. I mean I -- when I got in the business we -- we walked the milk departments and we counted how deep the cartoons were and how much tenderloin was in the store, because we care about volumes and we really care about how successful these companies are, not just, you know, are they there and that's -- that's how I think about long term viability for these projects.

Simison: And your time was stopped, but you are down to a minute 25 seconds for the remainder of your time.

Maffia: Oh, gosh.

Simison: Just so you are clear.

Maffia: Okay. No. I will be fast. Okay. So -- so, one quick slide on multi-family. It's the opposite story -- story. It's scarcity. There was a -- a recent report from Michael Wilkersons that came out basically shows that the Tri-Valley market -- I'm sorry -- the Treasure Valley market is showing of 50,000 units. This was a presentation by Colliers. You can see how it compares to other large western metros that it's -- you know, there is -- there is a scarcity and I think it's important to build housing, you know, for the current and future generations. If you want to keep your households local -- I have seen this trend in other areas. I have been on school boards where we can't bring in -- hire superintendents because they can't afford to live there and it's a real problem. Rents have gone up eight to 15 percent a year and the -- the best way to -- you know, to -- to help with rising rents is to increase supply. I strongly believe that. Okay. To the site plans that Joe and I have been talking about. The staff recommended removing Building D and we explored two options. I think this is the more elegant solution. We really like -- Cajun Lane is -- is a divider on the site and we really wanted to bridge Cajun Lane. It's one of those -- those challenges bringing the multi-family over and, then, to the retail and -- and adding parking to the south of -- of the one building is -- is that my like ten second warning?

Simison: That's your time's up warning. But if you can just wrap up.

Maffia: Okay. Okay. So, this is -- this is the -- the site plan I like for that reason. Joe suggested removing Building D. My one concern about that building is the functionality of -- of removing it and that it's going to create this island between three parking fields and a drive aisle. The residents for the multi-family are going to go to the more greater amenity spaces, for the clubhouse and kind of that live-work, plug and play space. The

retailers are really, in my experience, are not going to go over there. They are going to eat where the restrooms are, where the utensils are and -- and if they do gravitate to that area they are just going to bring trash with them. So, yeah. Thank you.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: My -- walk me through the parking. That's probably my biggest concern looking at this and we have had another example of an apartment project where -- if you have a big field of parking that's not convenient for people to get to their apartment, then, they start really clogging the street. I'm kind of worried about people perhaps parking to the south of the site within the neighborhood and clogging that up.

Maffia: Yeah.

Strader: Maybe walk me through that.

Maffia: So, you know, it is -- it's a pretty rigorous parking requirement, this modified plan. Previously we had 450 parking stalls. We now have 487. So, by adding that parking field to -- sorry, I'm bringing it up. To the south of that building we have added -- like I said, it's increased from 457 to 487.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Maffia: Sorry.

Strader: I would -- so -- and, then, we have another issue we have had, actually, at -- with a -- with a different layout, but help me understand that -- are these carports? Are they garages? Are people paying extra for the carports? Because we have had all -- you wouldn't believe the issues we have had with parking.

Maffia: Not typically as a line item. It's -- it's assigned to the unit. But the covered parking -- or the darker parking areas and, then, the -- as shown on the site plan.

Strader: Okay. And, then, help me understand -- if you could talk a little bit more about what you were just discussing, which is a modification to your site plan. Are you proposing removing Building D? Is that the updated plan? Help me understand the changes. And just a general comment. I -- I encourage applicants to -- if you are going to change the site plan, get that out earlier, you know, so people can give you feedback and kind of comment on it and digest it at home. I don't love that members of the public and Planning

and City Council, you know, just get an update at the public hearing. It doesn't sound like huge changes, though. But, yeah, walk us through that again.

Maffia: Yeah. So, I mean -- I think we got our staff report like Tuesday of last week and, then, I had already some revisions just for discussion purposes. I didn't want to bombard Joe with it tonight, so we kind of worked through this and -- I mean we have worked through many site plans. So, I worked as quickly as I could. But just to walk through the changes in order to, you know, increase the parking we were -- we removed -- or we shifted the building to the north and increased the parking field there to the south. So, it increased the parking and -- and the alternative solution and we kept these two buildings and -- and maybe it's better seen here. Those are those two. Those are three story buildings and the architects and designers I worked with, they really appreciated the transition from retail to smaller three story than to a four story, because it helps bridge Cajun Lane. Otherwise, if you remove that building on the right of the screen, that's at this site plan, if you can see it, and -- and, you know, it -- it does increase the parking, which has some value. But I -- I -- I'm very concerned that we just kind of be no man's land and the retailer -- the retail customers won't use it, because they tend to be on the patios immediately adjacent to the restaurants and -- and the coffee shop and the -- and the residents for the multi-family, you know, there is a 5,000 square foot plus or minus clubhouse, with a pool, lots of indoor-outdoor amenities. They are going to be going to the north facilities. They are not going to be on this kind of island that's kind of surrounded by, you know, three parking areas and -- and a drive aisle. I just -- it doesn't seem very approachable. It's not where I would want to sit and have a cup of coffee. I would rather be in -- in this protected courtyard, which, you know, even early on and working with staff. We looked at projects in -- in Meridian that were being supported, that had good design principles, and one of them was creating that interior courtyard. For that reason. To create protected spaces.

Strader: Thanks.

Perreault: Mr. Mayor?

Simison: If I can just follow up on kind of related to Council -- I'm -- I keep looking at this and I just get confused by all the parking on the west side of the road. What other options were looked at related to the -- I -- that's where I thought that she was going, because it just seemed so far removed that I don't know why someone would park there, unless they were forced to, and is that going to be the closest thing for them to park at compared to other things in the area based upon those elements. But was other things considered for that corner section?

Maffia: We -- we looked at various solutions and that was the most efficient. It was also previously the parking field on the previous site plan. I think from a practical standpoint it will be used for kind of secondary parking for guests.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: To that point I -- just to further clarify some of those things. One, the proposed covered parking is just carports, not garages, Council Woman Strader. Secondly, the closest parking, probably, will be that parking on the west side even if they -- a resident did park within the private land to the south. There is no break in the fence along that whole boundary. So, they are going to have to walk all the way around anyway. So, the most convenient really is that parking on the west side anyways when you go just linear feet. I did address that in my staff report, just the crossing there at the intersection concerns me, because it is a public road, which I know that the applicant and ACHD will work through that, especially when we get to the CUP portion of it. But I just wanted to clarify those couple parking points.

Simison: Council Woman Perreault.

Perreault: Thank you. My question is about the retail space. You have it approximately 7,500 square feet. So, I apologize if I missed this, but are you going to have four spaces in there, approximately? And without removing one of those residential buildings it just seems to me like the parking will be tight if you have more than three retail spots in there, so can you clarify that?

Maffia: This site plan, which is kind of my optimal site plan, has a 6,000 square foot building, so it's a 2,200 square foot Starbucks. It's probably one other end cap eatery that's probably, you know, here. I did actually the calculations. It's probably -- you know, the -- the remaining space would probably be two restaurants and the ratio is actually -- if I could zoom in. I can grab my computer on the ratio of food to general retail uses, because we included it in our parking ratios. But I want to say it's 2,200 -- I think it's about 1,500 of general retail and, then, the other are food uses, because we wanted to account for the food. But that building is 6,000 square feet.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Maffia: That will change based on tenant demand.

Perreault: Sure. I understand. So -- okay. So, clarify. So, the original plan had a Starbucks and, then, it had a -- at least the -- the site plan that was -- that was sent to us said 7,500 square feet. So, it's moved from a Starbucks which is a couple thousand square feet to -- or 1,500 square feet, somewhere around there, and so 9,000 total and you are taking down to 6,000 and one building; is that correct?

Maffia: Correct.

Strader: Play. And, then, the plaza space is still there right to the south of the building? Absolutely.

Perreault: Okay. Have you ever sat on a plaza that is against Eagle Road and had dinner? It's just a curiosity question.

Maffia: I have not, but I know it's -- it's very busy and there is a lot of traffic and that was one of Joe's --

Perreault: It's deafening.

Maffia: That was one of Joe's comments, so --

Perreault: Yeah.

Maffia: Yeah.

Perreault: So, moving that maybe on the -- possibly on the east side of the building might be a -- I know that's kind of awkward, but if you put more parking on the south side and maybe move that plaza on the east side, not only will that help with the noise, but it will incorporate the residential a little more, too, I think.

Simison: Council, any additional questions for the applicant?

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Sorry. I did want to comment on the different site plans, because I know the question came up before. I did have time to look at it. This site plan versus this one, this is more of what I was envisioning in my mind's eye. However, I cannot speak out of two sides of my face. From a planning perspective this would create that island of this plaza and that is something that in planning we really do hate to do, because they do generally not get used. It is interior to the site, but when people don't like usually eating and sitting in a green space that's surrounded by parking, it's just typically not what people tend to do. So, I -- I understand Council Woman Perreault's point especially on Eagle, which is why I brought it up in my staff report with adequate landscaping, as well as the separation. That was the other point I was going to make. This revised site plan does include the additional escape plan and ten further feet of landscape buffer along Eagle. So, he did those shifts to further remove the plaza area from Eagle Road, which is nice. You know, that extra 20 feet makes a difference there, especially if they do appropriate landscaping along Eagle. But, I, too, prefer this revised site plan, even though it is minor revisions. I prefer this over the other one to not create that island, while introducing more parking to this area. If the applicant does have more eateries later on that is something that staff will probably analyze more than likely at each TI level when they submit for building permits and we will verify that they have enough parking. If they don't, then, they are either going to create it with a new CZC or they are just not going to have that tenant in that space.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Is there any consideration -- I don't -- this is -- I mean this is the first time we have seen this and this is such a -- the modified plan and it's such a small visual. Was there any consideration made of moving one of the residential buildings to that full parking on the west side and just having one there with the parking and, then, kind of shifting that parking and splitting it up -- dividing it up a little bit within the development on the -- the section in the southeast corner?

Maffia: We did. We had a site plan with -- with townhomes over there and, like I said earlier -- in the beginning, you know, when I approach a site I bring in the experts and I brought in Fairfield Residential, who's built hundreds of thousands of units and Roundhouse and after vetting all these, the efficiency from -- from an operating standpoint, because these are like living organisms when -- when you start running them, there was efficiency in -- in this design. In particular they wanted the residents on the other side of Cajun. Also without that it will really create -- it creates to me that -- the -- the -- kind of the bridge between the retail and the residential.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Thank you. Council Woman Perreault, great question. Again, in addition to what Mike has said, staff has also told -- or requested that the applicant not put residential on the west side of that, specifically because the previous approvals that went through VillaSport, the residents to the west were vehemently against having residential along their boundary and they wanted that buffer, as well as a wall, et cetera, and so that the applicant did take some of that into account by not proposing a use over there to help mitigate a potential nuisance of a residential -- especially multi-family because of its negative connotations in communities along that west boundary.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I understand that. I -- I remember -- townhomes to me, though, seems like it's a pretty mild transition compared to -- I mean maybe it's considered multi-family from a planning standpoint, but I don't think of townhomes as multi-family myself in that sense; right? I think of multi-family as like typically at least three story. So, I -- I don't -- I -- I understand where you are coming from. I understand that you have run this by numerous folks. I don't know if they are local here or not. If they are not local maybe -- maybe it's -- you know, I don't know. But I -- I just -- I think it -- it just seems disjointed to me and I also think that -- I don't know how large the -- the residential buildings are, but was there any consideration made of dividing those up into like six buildings instead of three -- three

huge buildings and having a gap in between and some walkability in between? It just -- again very hard to tell from the information that was provided specific to this. It doesn't look like the center area changed at all; correct? On this site plan modification? So, the renderings that were included that's supposed to give that a fairly good idea of that. I do have to say that I agree with Council Woman Strader. One, I -- I really would have liked to have reviewed this before we got here. It doesn't give me a lot of time. This is pretty significant use. Pretty -- pretty significant corner. I also think it would have been great for the public to review before this meeting. So, at this point in time I'm not inclined to make, for myself, a decision this evening. I would -- I would have liked more time and I would -- would have liked the public to have more time for any specific modifications, especially if you are taking buildings out, putting buildings in, you know, adding parking, taking -- moving plaza spaces. They are not small. It's not like, hey, we added ten parking spaces. They are pretty significant concept plan site changes. Although if somebody makes a motion, but I -- I would like more time myself.

Simison: Council, any additional questions for the applicant? Okay. Thank you very much.

Maffia: Thank you.

Simison: Mr. Clerk, do we have anyone signed up to provide testimony?

Johnson: Mr. Mayor, we do. First is Janet Bailey.

Simison: When your name is called if you can come forward and be recognized for three minutes and if you are online and want to provide testimony, please, use the raise your hand feature.

Bailey: Good evening, Mr. Mayor and Council Members. I have been here before for CentrePoint.

Simison: Can you get closer to one of the mics?

Bailey: Sorry. I feel like this is a constant with that corner. I think I'm a better traffic study than whatever study they are doing. They have not sat there -- I live on CentrePoint. I live within 400 feet of the proposed four story apartments, which I think are terribly obnoxious. They are four stories. Four hundred and eighty-seven parking lots? We already -- I started neighborhood watch. I have been in that house ten years. I started it ten years ago. Through the years we have had to move bus stops because of closer to Ustick. We have had speeding. We have the walking paths behind. I happen to back up to one of those where there is people out there at midnight and it's pitch black. What's the purpose? There is increased crime in the neighborhood. We had graffiti on the wall that separates us from Leslie and I think putting in these apartments -- I think it's going to increase traffic through the neighborhood, which goes down Picard through Cajun. ACHD owns CentrePoint. We have asked for speed bumps to slow down traffic, but now with all of this traffic out front I think that it will cut through the neighborhood to come out over

by Discount Tire, because they do connect, and I -- I do believe that the way they have situated on that west parking area it does back up to two neighbors on Leslie. Their backyards are open. They are oversized lots. I know the two gentlemen over there. They are -- they are the ones who are vehemently opposed to anything backing up to that. Plus I also know -- as you come into CentrePoint, the first house, I know her very well. She's the first house that would be directly across from these apartments and I do know that they have sat there and counted cars that flip U-ees right there. I know also coming out of CentrePoint -- I tell my kids don't go out right away. Lag back, because there are so many cars who run that light. Yesterday I was turning left and I had to hit my brakes, because the people coming from behind Kohl's, they are rushing to get through that light and there -- it's an unprotected light. So, I think that those apartments are a huge mistake. I think it will increase crime. There is already enough foot traffic through there. We have issues in the neighborhood in Jackson Square with people with dogs off leash and people not picking up after their dogs. It's just gotten worse and if I -- we are retired. My husband's retired military. So, we chose that spot because we figured, oh, when we are old we will just walk. No. Can't even do that anymore. The traffic is crazy. Oh, I only get three minutes? So, I just wanted to -- to let you know that I think this whole idea with four stories is -- please, don't approve it.

Simison: Thank you. Council, any questions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mrs. Bailey, how -- how many feet did you say your house would be from the apartment?

Bailey: I believe that we are within 400 feet.

Hoaglund: Is that the property line or the apartment itself? Just curious.

Bailey: It would be -- well, I'm straight down CentrePoint. You come in that corner and I'm like the seventh house down.

Hoaglund: Okay.

Bailey: So -- I mean -- and I did get the notice and the letter, so I know I'm within the -- however many feet when they send these out. But this is an ongoing issue. I feel like it's like every time I see these it's like, oh, my God, not again. Because it's the same thing. It's going to -- and just real quick. Sorry. The parking that they are putting on the edge on the west side, they have to walk across CentrePoint. I have watched cars tear around that corner and if people are walking across that's just an accident waiting to happen. I don't -- I just don't see that this is a fit for that particular space.

Simison: Thank you. Council, any additional questions? Thank you.

Bailey: Thank you.

Johnson: Mr. Mayor, next is Jeff Vrba.

Vrba: Good evening, Mayor and Honored Councilmen. I went -- I'm Jeff Vrba. I live in 3005 North LeBlanc Way in Meridian, Idaho. I'm the vice-president of the -- or the Jackson Square Subdivision there. A couple main concerns we have is with the four story building going in there. We know it's going to get developed sometime. Our subdivision was put in 11, 12 years ago. Started there. We knew what was supposed to be going in on the corner. Every time we have these meetings something's changing. They are changing buildings, changing now -- now we are looking at residential areas going in there. Four stories. When we talked to them before in a meeting they were talking 296 units going into those units. I don't know if that's still what he has planned. So, you are looking at that. With two cars per you are looking at almost 600 cars parked in that area. Depending on the pricing of their places, if you got single people trying to move in there there might be three to four people living in an apartment. I see it down the street right across the street from me, because we do have some duplexes over there that get rented out. Some of them do have three people living in there. So, if they have three college kids living in there you are up even more cars in that area. The other thing we are concerned with is -- if they are rental and they do keep prices down low enough, we might have issues with the people moving in -- into that area and stuff. The other things we are concerned with is once, again, with the traffic like was mentioned before. We are concerned with the height of the building going in. If they drop it down to two to three stories and maybe spread them apart a little bit in there that might be different. If they are using the parking on the other side of CentrePoint there, you have got people walking across CentrePoint there or they are going to be parking on the CentrePoint, CentrePoint is, basically, enough room for two cars to get up and down. When you get up to Ustick Road there is no left -- right turn lane to go from CentrePoint onto Ustick to go down to Eagle Road. So, that gets backed up there. I know the traffic light could be changed with Ada county. They could adjust the timing in there, but there is constantly -- like was mentioned before, people going through that traffic light faster than they are supposed to. I know Meridian Police Department -- they are doing an outstanding job in that area when they see them. I live right there, two houses in from the -- on LeBlanc Way there. I see the cars getting pulled over on Ustick, on Eagle Road right there that they are turning right on the red lights when they are not supposed to. The other thing we are concerned with is -- with the extra traffic coming through on the private roads, myself, as a homeowner, we have to pay for that private road if -- if we need to do something to it. It's between Jackson Square, CentrePoint Square, along with the commercial development just right in that area that we have already developed. We got to pay to have those roads maintained. Now, we have got all this extra traffic coming through there and it's not fair to our homeowners to have to do the chip sealing and stuff on that side. I appreciate your time and you got any questions for me or any other comments?

Simison: Thank you. Council, any questions? Thank you very much.

Vrba: Thank you all for your time and everything else.

Hoaglund: And, Mr. Mayor, we have one online. J.R. You should be able to unmute yourself.

Schofield: Hi, Mayor and City Council Members. I appreciate the time. My name is Jared Schofield. I live on -- at 1566 North Leslie Way. My property is one of the ones that backs up directly to the parking on the west side of the proposal. As many of the others have stated already, traffic is a major concern. We already have major issues with Leslie Way being blocked by traffic with the current patterns we have. When we looked at -- and it was approved for VillaSport. Their traffic patterns were not consistent throughout the entire day. They weren't -- they weren't hitting the prime times of morning rush hour and evening rush hour. So, they are -- their traffic flow was -- started at 5:00 p.m. and went clear until basically midnight and their employee parking was what was slated for the west side of the property against my property, which employee parking is a great deal different than tenant parking where you often end up with cars being abandoned, left for days on end and being separated from the facility. You oftentimes have people over there, you know, whether it be drinking, you know, drug deals, whatever may be. Even though this is supposed to be higher end. This does create high concerns where they back up right to where I have three little children in the backyard playing. So, there is a lot of safety concerns. This is -- when I bought this property it was not with the intent of having a parking lot for apartments in my backyard. This -- you know, to me it does devalue my property and the appeal to potential seller -- or potential buyers in the future, you know. On the proposal as well, I did not -- and I also submitted a letter that I don't know if you have had a chance to look at. But on that -- on the proposal VillaSport actually put the -- the wall and -- in the same -- on the same orientation all the way running from the current location all the way out to Ustick. This new proposal, the latest I have seen, actually shows it sitting back on the property line, which is very much -- would be very much their right to do, but we would like to -- if there is a wall going in, which we would love to see the wall go in, don't get me wrong -- we would like to see it on the same alignment to keep with the same look and feel. But -- but, really, it comes down to -- like the -- the traffic flow, the traffic patterns, the number of people. There will be a great deal more cars and vehicles than what is slated and what is being presented in this case. Just like Jeff has said, with this many units there are going to be far more vehicles in use around this area than what is -- what you would actually anticipate and you can see the same anywhere you look. You go north on CentrePoint behind Kohl's, the roads are consistently packed over there, because they do not have room for -- there is not enough parking physically in the facilities to accommodate those -- those townhomes. So, there is -- there is a lot of issues with this and the height overall. You know, I wouldn't be -- I -- I want to see this property developed at some point. I really do. I think it would be great. I think it's great for the community. I just do not feel that this is the best fit for our community. This is Meridian, Idaho. The reason why most of us love it here is because this is a rural country environment. We -- you know, we didn't move here with the intent of having a large city, which is, unfortunately, where we sit right now. You know, this is --

Simison: Your time has expired. If you can wrap up any final comment.

Schofield: Yeah. Sorry about that. Thank you. But, yeah, this is -- you know, let's keep this Idaho. Let's not make this California. I appreciate it.

Simison: All right. Thank you. Council, any questions? Okay. Thank you very much. Is there anybody else that would like to provide testimony on this item at this time? Like to come forward. And if you are online and would like to provide testimony, please, use the raise your hand feature.

McKinney: Hello. My name is Wendy McKinney. I live at 6173 Silver Elm Way in Meridian. I first came in front of City Council years and years ago talking about Linder Village, which was in my backyard and I have watched as the city has grown in the ten years that I have lived here. I think there is a lot of really wonderful developments that are going on, but there is also some things that can be tweaked a little to be better. One of the things that makes for good development is a good transition. So, you want to go from a one story to a two story to a three story. Sometimes to four story, not necessarily. This doesn't do that. It goes from two story to, boom, the four story. One of the concerns that we had in our neck of the woods in Chinden and Linder was homes that had existed in Paramount Subdivision for more than ten years, suddenly might have someone looking down into their home and into their backyard if they did apartments. That's a concern. I think if the developer would even just make Building C and B two story, making building E and D two story as well. Making Building A three story, you would have all your problems with parking gone. You would have some of the concerns gone from the neighbors. An even better fit would be more of professional buildings and, then, apartments closer to the larger roads. One of the things that I see is the concern of the neighborhoods. So, when you have a neighborhood that has been there for a while, when you add all these new people to the neighborhood you are going to have an island of 11 acres. They are not really going to blend with their neighbors if it's developed this way and if that's the intent, fine. If that's not the intent and you want this neighborhood to join together with the current neighbors, you have to think about what is it to be a good neighbor in this existing neighborhood. If there was fields behind them that were open for new single family dwellings to come in after the apartments were built, then, those single family houses would be built knowing that that is in their backyard. These residents have been here all this time. You know, to have them not have the right to enjoy their property is not what we want to do in Meridian. So, I would urge you to think about what it means to be a good neighbor. And I have a friend who actually works as a private -- works with a private airline and she talks about how a pilot once told her how he was helping Brad Pitt and Angelina Jolie travel a lot over the world and he had asked Brad Pitt once -- he's like, so what do you think about adding all these kids into your family? And he's like, well, I wish there was just a little time for assimilation. You know. I wish we weren't grabbing these kids so quickly. I wish it was more natural. You know, maybe two years between each adoption to assimilate. And so if you drop quintuplets -- quintuplets onto this corner to this neighborhood family, it's going to be hard to assimilate. Thank you for your time.

Simison: Thank you. Council, questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Not a question, just a comment. As a fellow resident of Paramount I feel like through the process we ended up with such a better development than originally started and I just rode my bike to Winco with my kids to go grocery shopping. So, there is something to be said for the integration of uses. I wish we could dictate the order in which we develop all the corners of Meridian, but, unfortunately, with private property rights we can't. We are hamstrung. We have to follow the process and let each property owner come forth and try to develop and in the way that they --

McKinney: I understand that. My husband's on the ACHD Commission and he was on the West Jordan Planning and Zoning Commission. We watched West Jordan go through exactly what Meridian's going through now back from '99 to 2012. So, I understand your pains. I appreciate your time. Nobody knows how much time and effort you put in. I remember Dave didn't get home until midnight some nights and had babies at home. It's like that farmer had to talk for 20 minutes about how you want the ditch in his backyard. You are awesome. I appreciate you. I really do.

Strader: Thanks for coming.

McKinney: Uh-huh.

Simison: Is there anybody else who has not provided testimony that would like to come forward or online? Seeing no one, would the applicant like to come forward to close?

Nelson: Mayor, Members of the Council, to respond to some of the comments we heard, starting with -- with traffic, there was already, you know, testimony in our presentation, but to recap the proposed use would have a third of the traffic of VillaSport from the p.m. peak hour and overall trips and a fifth of the traffic that would be generated by a conservative estimate of general commercial on this site and so we are trying to create a use that will benefit the neighborhood and the larger driving community. Looking at -- at height and kind of the intensity of the use that's -- that the neighbors commented on, this is a comparable height to the VillaSport, except that it's set way further back and so from a visual impact it's going to have a lower impact. It does provide a nice transition. It is an in-fill site. It's vacant now and so currently these residents are viewing, you know, Kohl's across the street of Ustick. So, we hope with the landscaping and the nice architecture that it will actually create a nice neighbor and buffer some of that noise from the roads that these neighbors really experience now. Also the -- as was discussed the design of these buildings is intentional and designed to create that interior courtyard and nice amenity space and balance it out. It's a great location to have this kind of density where you have got these two major streets at the second busiest intersection in the city. It was testified about you certainly need more housing in -- in Meridian and in the larger valley and what a great location to put it where the traffic can be handled and accommodated in a way that is not disruptive to the neighbors. There is no cut-through

on the existing residential. That's an unusual opportunity that's created here where it doesn't go through their site. It's -- it's similar to what the Council considered recently just down the street with new apartments at The Village that in the right location it does make sense to have taller buildings and higher density. Where you had four and five story buildings there and -- and 40 units per acre and we suggest this is also one of those great quality locations. I want to talk about the site plans a little bit. Council Member Perreault had a lot of questions about site plans. So did Council Member Strader and others. And so maybe just a little bit about the -- the process. We did get the staff report from Joe and he made suggested changes to the site plan, those four items, and that those be addressed and they were listed as a condition of approval and so you could approve what was presented to you as a DA modification, but make those -- require us to make those changes and we are just asking you to require fewer of those and, in fact, you know, appreciate that Joe has now supported what we have come back with that -- to illustrate what that looks like. So, a little description of that evolution. So, you know, Joe asked to remove one of those three story residential buildings and replace it with open plaza. Instead what we are asking is to just leave it as it was proposed and so there isn't a change in that area from the residential buildings and so from the application that was before you you do still have those three story residential buildings to create that connectivity. On the -- on the retail side along Eagle Road Joe asked for additional parking to accommodate the approved drive-through use and so part of how we have accommodated that is to consolidate the retail in the northern section and create more parking to the south. So, that is a slight change from the original application, but it's responding to a condition of approval that was proposed and, in fact, what it does is it gets us back to the conditional use permit plan that is approved on the property and -- which already has the approved drive through. It is for a comparable size building oriented to the northeast corner, with the parking to the south and not a second building. And so, in fact, we have just kind of evolved the site plan right back to that approved CUP for the drive through. So, we understand there -- there is an evolution. We are responding to staff comments there and, again, appreciate his support for that redesign as we have come back with it. In a -- a comment, too, on Council Member Perreault. You asked about, you know, the orientation of -- of the seating and, you know, a lot of thought actually has gone into that. Tenants won't rent the building if you have got the seating on the west side -- on the interior side, because they have got to have the parking that's right up in front. It's just one of the criteria they look at. And so instead, as Joe suggested with the increased buffer and, you know, substantial landscaping, that feel -- and it is an urban feel to be along Eagle Road, but with that significant buffer the feel is to have the patio to the south and that's the preferred design. And I will ask Mike if he's got anything to add to any of that. Okay. Then we would stand for your questions and thank you very much for your time and thoughtful questions.

Simison: Thank you. Maybe a hypothetical for Mike. I think -- well, probably -- if there was no need to have the parking to the west -- like you didn't need the parking to the west because of the number of units or whatever the case may be and the neighbor next to the lot didn't have any objections, from a site plan element what other uses would you contemplate, looking at what else is in the area for that area that would make sense? Dentist office? You know, just -- just curious from -- I mean use for a parking lot.

Maffia: Maybe parking and --

Simison: Or pretend like you don't.

Maffia: I don't -- I don't always think -- I mean it has to be executed so carefully that just, you know, someone -- it's been suggested -- I mean, again, we went through like maybe two, three dozen site plans to do some commercial uses there and I only -- I just don't think in this environment necessarily having commercial next to residential -- when I say commercial I'm talking like flex-office -- is -- is going to be as approachable and with kind of that lifestyle theme of what we are trying to get here. I mean this is -- these are high quality kind of units where people -- you know. And very rich amenities, with pools and gyms and, you know, you saw that rendering of -- of -- of a leasing facility and we are trying to really embrace that kind of -- that lifestyle. It's an extension of -- of living there and going to the VillaSport. So, to bring in uses like flex uses or maybe it's contracting where you have lots of parking requirements. I don't see how that plays into the synergy and that you are just -- you are just placing a mass on that space, because, you know, from a site plan perspective right now it looks -- it looks empty, but I think in practice it will -- it will be overflow parking.

Simison: And I get -- my whole point is if you don't need it for parking. You have all the parking on the side, because we are going to -- we are going to -- we are going to cut the apartments in half and you don't need that for parking. From a land development standpoint what would you put there? Are you telling me irregardless of all things considered, a parking lot is the best use for that piece of property from your development -- with your development on it?

Maffia: It's thin and narrow. Yeah. It may be --

Simison: Limited.

Maffia: Yeah. Maybe townhouses. They don't particularly pencil right now in the environment.

Simison: So, residential compared to light office or something else is what you would --

Maffia: Yeah. And I think given the size and some of the -- the -- the access limitations that we studied, it didn't pencil the due -- to do the townhomes. And one thing I didn't mention in my -- my presentation is construction costs have gone up 25 percent in the last 90 days. I have gotten a half a dozen calls about projects that are approved that are not getting built in Meridian. Hundreds of units. Which is going to exacerbate this -- this kind of housing crisis. So, again, you know, I'm -- in the back of my mind I'm looking at the financial model and, you know, I have got to think about something that makes sense on paper. So -- yeah. I mean hypothetically I don't -- I don't think -- I think this really is the best -- the best use for it. Sorry if I didn't answer your question.

Simison: No. You did. You told me you think parking is the best use for this property and your -- that's the question I was asking. If -- if you -- if you don't need parking, but you would still pave it as a parking lot, because you think there is no other better uses for this property --

Maffia: That's what I was --

Simison: -- what I was really trying to figure out from your standpoint.

Maffia: We need -- we need parking, so --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. So, my overall concern is similar. So, I don't view that westernmost parking lot as a good highest and best use. I appreciate what you are saying about the cost of building townhomes and, you know what, as they say, like the cure for high prices might be high prices; right? We are in a macroeconomic environment that is changing. The Federal Reserve is increasing interest rates. There are going to be a lot of knock on effects on commercial real estate and residential real estate. So, that's all stuff that you have to think about as an investor, but not something we can think about. What we can think about is what do we want to see on the land in the city and for me having that entire corner be an overflow parking lot with a poor pedestrian plan for safety, I'm really struggling with that. So, I'm having an issue there. I would like to see -- if you are going to move forward on multi-family, I would love to see the main multi-family portion of the site have all the adequate parking it needs right there and, then, you know, if you wanted to wait on that parking lot area, maybe townhomes could come in the future when it makes more economic sense. But I'm just struggling with -- with the layout. It feels disjointed. I'm really concerned we are going to have a big pedestrian issue with people parking there, then, trying to cross at night -- yeah, I just -- it feels very disjointed and we have had previous multi-family developments where we have run into big issues where the parking is not totally thought out and that just gives me a lot of pause. I'm -- I'm not a yes on this tonight. I would love to see it reworked a little bit. That's where I'm at.

Perreault: Mr. Mayor?

Maffia: I would comment -- this -- we did highly vet this. We thought a lot about parking. You will see a lot of proposed projects where those three buildings are a U, maybe one are larger buildings or an L and that's why we created that -- one of the reasons we created that drive aisle between the three buildings was to bring parking more immediate to -- to -- to the residents there. I know that doesn't address the parking to the west, but the parking was pretty very much vetted in the site and why we have this current layout. One of our original site plans we looked very hard at. Again did not have that interior drive aisle in parking, so --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Let me ask you a question. So, if you didn't have the parking lot to the west would you have adequate parking for all the multi-family buildings? Would it stand on its own two feet?

Maffia: No.

Strader: Okay. So, you need -- you need that -- you need that. Boy, that's a challenge is you need that parking. I'm just really conflicted about the location of that. I feel like -- I have voiced my concern. Thank you.

Simison: Council Woman Perreault.

Perreault: Thank you, Mr. Mayor. So, I apologize if my last comment sounded a bit blunt. It's just that this is the only time we are going to get to touch this. We will not get to see this with a CUP. That will go to the Planning and Zoning Commission. And so when we don't have -- really the biggest part of our decision this evening is the concept plan and so not having time to review that is -- is -- you know, it's concerning and -- and, honestly, we might have had a different process had we had an opportunity for that to kind of think through it a little bit more and we -- this happens a lot where when we have these DA modifications we struggle to not try to redesign this for you. So, I'm going to try not to do that. We will tell you what we -- you know, we will -- we will share the concerns that we have about it and you can do that as the experts. I agree with Council Woman Strader that I don't -- I don't think that's an efficient use of space. I don't know if you are familiar with Heritage Grove that's at the corner of Locust Grove near Ustick. That's very well integrated single story commercial and it's not retail, it's more like office -- dentist offices and daycares and whatnot that's integrated with housing that they do a phenomenal job. I think that something like that would be much more beneficial to the neighbors to the west and so that is my thought on that. But I just -- you know, this is the only opportunity that we get to look at this concept plan and that's such a critical corner and, you know, I -- I don't know what the pedestrian movement is like across CentrePoint Way. I can imagine that it is a challenge. I have driven through there several times. I have never tried to walk across and see. But I can say that if I lived in that area there is no way I would be walking across the street to get to Trader Joe's, the only grocery store on that corner. I would get in my car and drive over there. So, there is -- you know, it's kind of tough, because this is -- this is mixed use regional. This is a really big use for a really small acreage; right? And that's probably one of the hardest things about this site. We -- we have had these conversations numerous times in different corners where we have these big uses, they have high -- high density meant for larger commercial uses and now we have got to scale that down because the site is too small. But the -- and the same thing with -- with the -- the multi-story at The Village. There is -- you know, no one wants to walk across that intersection on the north side to get to -- to Albertson's, because it's -- it's scary. So, you almost are going to have to make your own little development as --

as an island, even though that isn't ideal, because I don't see folks actually accessing any of that commercial in a pedestrian way. So, my opinion having a little bit more commercial, retail, restaurant space in this would be more beneficial than having as much multi-family, because -- for -- for that reason.

Maffia: Yeah. I -- I think in five years, ten years from now this area is going to be more dense. Even a project recently was approved at 400 units on ten acres. When we originally looked and did an RFP to various architects we saw everything from low density to Texas wraps and, you know, five story product, which was recently approved -- a Brighton project. I -- and I -- I -- I understand your concerns about the parking field. That's where it was with VillaSports and this site has constraints. It's got two drive aisles through the middle and this kind of irregular shape and as much as I would want to develop a utopia, I want to live in that utopia, actually, I want, you know, like the perfect market and gym, you know, people -- it's just -- it -- it doesn't exist and work that way in development. You know, you need a large format grocer. There is already seven of them in the market. There is no demand for it. You know, there is only room for one Orange Theory fitness that's across the street. So, you know, we will build a high quality gym here for the residents and I think it's still better even if you do get on your scooter or your bike, maybe you don't, maybe it's your car, it's still better to travel a block than to drive, you know, miles to -- to your retail services in terms of a master planning, so -- I'm doing the best I -- I can with I think a challenging site.

Strader: Mr. Mayor?

Simison: Councilman Borton.

Borton: I share a lot of these same concerns. I think you are going to hear it from -- from most of us. But one comment that Deb made with -- with regards to cut-through traffic. Is it -- if I looked at the site plan couldn't the residents choose go south to, then, get to Eagle Road to go south to the interchange? Whether they would or not -- but it connects.

Nelson: Yes. Mayor, Council Member Borton, they can go south, but, then, the road diverts them to get -- you go around that roundabout and you come out to Eagle Road and say you stay north and east of that residential development without going into their internal streets, which is just a unique site. I mean so many developments you have got that cut-through concern and they -- here the access doesn't actually go through their development, because they don't have access to the south or the west.

Strader: Mr. Mayor?

Simison: Councilman Borton.

Nelson: There was a -- and I'm sorry. I was going to say there is a map of it in the TIS. They specifically studied this issue in the -- or the updated abbreviated study that Kittelson did. They specifically looked at this issue of cut through and they showed the diagram of how those trips would flow and they don't go through that neighborhood.

Borton: They go -- they use that -- and we deal with this every time this -- this property comes up. They go -- or some could go along that very narrow private street that's got the chicane in it that goes -- ever since Jimmy John's came in that was an issue. So, some portion of the traffic could go south --

Nelson: Uh-huh. Yes.

Borton: -- and go -- yeah.

Nelson: Yeah. Some percentage of it does go south and, then, it goes out to Eagle Road further south and east. But it avoids that neighborhood internal streets, which --

Borton: Got you.

Nelson: -- is unusual.

Strader: Yeah.

Nelson: Yeah. You can see it -- actually you can see it here. It goes around that side of that roundabout and, then, comes out to the east and so it does not go into their neighborhood.

Perreault: Mr. Mayor, page seven of the TIS shows it really well. If -- if that could be brought up.

Strader: So, one of the things while --

Simison: Councilman Borton.

Strader: -- we are looking at it -- Mr. Mayor, thank you. Sorry.

Dodson: Sorry, I can't do -- I can't pull the TIS and share the screen. Sorry.

Strader: Did you have something you wanted to -- to add?

Maffia: I was just speaking to your comment, Jessica, about -- just the process and the change in the site plan. We did get the staff report on Tuesday. Within 24 hours I sent sketches to Bill and Joe. We have been working collaboratively through this entire process. It's been very open -- open book and the -- the -- so, the site plan actually hasn't changed at all, except for that retail portion and it's just almost identical to the approved CUP for that retail portion, which is a separate parcel. So, just to clarify that. I mean that -- when I bought the property the retail building that I proposed today was not only approved, but there is a full CD set almost ready for a permit to build, so --

Borton: Mr. Mayor?

Simison: He beat you. Councilman Borton.

Borton: Got to cut in in front of somebody. I guess -- I was closing out my comment was -- if traffic doesn't cut through to the south, then, it probably won't. Definitely not to the neighborhood, but maybe a little bit. If it's all going north -- one of the disconnects we see -- and, Deb, you have probably seen this in a lot of these projects -- is we have the -- this objective matrix on -- with the -- with the GIS and traffic counts and -- but when you -- this gets approved and you go out there at 7:30, Ustick Road is going to be -- and these roads are all just going to be backed up 30 cars and we have got them on every -- every project like this. I don't know how you are going to get out of this and turn right onto Ustick in the morning and to turn right on Eagle Road, for example; right? So, it's one of the -- can't really answer it in today's application, but one of the disconnects seems to be the practical reality of everyone leaving larger multi-family projects during the morning and they are just going to be queued up forever. So, I mean if there is a way to go south -- might actually have been better to relieve some of that, but, you are right, I agree with you, it's not designed for that road to go south, so --

Nelson: Well, Mayor, Council Member Borton, I mean certainly some trips will go south. I'm not suggesting they won't.

Strader: Right.

Nelson: I just was suggesting that when they do they don't go through that neighborhood. But absolutely people will go south and that would be an appropriate way to turn right onto Eagle Road as safely as possible. Obviously, you could turn right onto Ustick and, then, turn -- and, then, turn right at the light as well. But, yes, it is a -- it's a dense, intensely developed area. It's infill. And -- but that's part of what makes the -- you know, kind of matching that intensity of use a little more appropriate. It creates this transition between those high intensity uses and the existing residential uses and -- and, frankly, I think it's going to reduce trips and that's part of what -- I mean we -- certainly we are reducing trips from the uses from VillaSport, from any other retail uses here. But as, you know, everybody's discussed, when you have retail near you you don't drive as far. So, it -- it is -- it is great to bring in users of the existing commercial intensity in this area and support them.

Maffia: Mr. Mayor, we -- we had Kittelson run the numbers this afternoon on retail versus multi-family on this land and it was 500 trips in the evening versus a hundred. Five fifty-five. So, I mean it is substantially less than -- than a commercial -- full commercial use.

Strader: And that's, again, one of the --

Simison: Councilman Borton.

Borton: Thank you, Mr. Mayor. Just cutting in. It's just anecdotal that -- that every time a project like this -- and I'm not picking on you, but a project comes in and the -- the Kittelson report will say exactly what you said, but when you go there and you are there

at 7:30 in the morning, those reports mean nothing. There is 60 cars backed up and they are miserable and pissed and it just is. So, I'm not asking you to answer it, but it's just a weird disconnect we wrestle with. I don't doubt the objective matrix, but somehow it seems like the value of that data is diminished a little bit when we go and see these projects once they are constructed, so -- and just food for thought, because it's really challenging to think you might approve a project that has a matrix that support distribution of traffic and, then, you see it and it doesn't and somehow we wrestle with that disconnect. Again, that's not necessarily for you to solve tonight, but it's a concern whenever we see these come in.

Maffia: I mean unfortunately --

Perreault: Mr. Mayor?

Maffia: -- we have the tools that we have, you know.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I'm sorry, sir. Many times you have spoken and haven't addressed the Mayor to get permission to speak and so it -- it -- it's not -- it's fine, it's just it makes it a little confusing when -- who is supposed to be speaking and who is not. So, I -- I think Joe said that you -- you have the screen there. Can you bring up page seven, please? Because I think that's really important that that be shown. Page seven of the -- of the Kittelson report. I agree with Councilman Borton. My question is regarding CentrePoint Way and will there be a right turn lane heading east on Ustick and I thought I had read in the staff report that maybe that was part of the current DA or -- can you answer that for me?

Nelson: Mr. Mayor, Council Member Perreault, yes, there is a right turn lane that has been constructed east of CentrePoint and turning right into -- onto Cajun Way. It is already there. It was one of the mitigation requirements for VillaSport.

Dodson: Mr. Mayor?

Nelson: I was just responding to your baffled look, but --

Simison: Council Woman Perreault or Joe? Are you going to answer -- do you -- yeah. I think there is a disconnect. Go, Joe.

Dodson: Yeah. Yeah. Based on your look I just wanted to -- yeah, there is -- there was nothing required in the TIS from then or the abbreviated one for anything going eastbound west of CentrePoint. So, onto CentrePoint, no, but only going onto the private drive aisle here, which is already constructed, as well as the drive aisle. So -- yeah.

Simison: Council Woman Perreault.

Perreault: Thank you. So, heading west on Cajun and making a right turn going north on CentrePoint is where that's going to be? Sorry.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: No, ma'am. Going east on Ustick turning south onto the private drive aisle. Do you see my mouse here? That's where the eastbound right turn lane is. There is no other turn lanes -- there were no other turn lanes required.

Perreault: Mr. Mayor. Okay. I think I see where you are -- okay. So, Cajun runs -- is the -- is the street that runs north and south into the development from Ustick that's closest to Eagle Road.

Dodson: Yes, ma'am.

Perreault: Okay. So, there is not going to be a requirement for a right turn lane from CentrePoint on eastbound Ustick, so it will -- cars will just stack there, essentially?

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Based on what I believe is -- it's like a left-hand turn lane and, then, a straight or right hand, that is correct, yes. It's only -- I don't know what the width is of CentrePoint, but I -- it almost seems like it's a -- a -- what's the term -- like an undersized local street is really what it is. It's not a collector.

Perreault: It's not a collector?

Dodson: No. It's a local residential road.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, ACHD hasn't given their final report on this; right? That's not going to be required until, what, the CUP hearing?

Dodson: Yes, ma'am. Yeah. They won't -- they don't respond to MDA's.

Perreault: Right. Okay. Thank you.

Simison: Council Hoaglund?

Hoaglund: Yeah. Nothing like a little leg cramp to make you stand up in hurry. Mr. Mayor, I -- I -- I struggle with mixed use regional. It -- it -- and maybe it's because a lot of times there is some commercial, but you have the R-2 and R-4s already there and, then, you have R-8 and R-15, like this site has, and, then, you try to put in multi-family in that and all of a sudden -- I can't remember if it was Janet or -- or Mary -- or Wendy had mentioned something about it would be nice to have orderly transition and things flow out and it would be nice, it just doesn't work that way. When -- when I -- when I look at this there are some -- some unique things to this that -- where you don't have that cut-through traffic as -- as you mentioned, but that is unique. Oftentimes we are dealing with that and that really -- really makes it -- makes it a problem. To the west that parking lot, that -- that is an odd thing. You are going to have to cross that, but at the same time -- or the neighbors, who are R-2, farther to the west, hey, we don't want buildings there. We don't want neighbors. Now -- now, you are -- you are -- you are satisfying that, but it is odd having to cross a fairly busy street right there. Yeah, we want -- we want densities in these -- in these areas and this provides density and -- and you want it well done. So, it's one of those things that you just kind of look at the different pieces and parts and -- and try to -- try to figure out what really is best for this if -- if anything with what's there already. I -- I do have a question about the parking from the standpoint -- on page six of that transportation memo it talked about -- and this might be a question for Joe -- Joseph as well. It does talk about parking summary -- parking required and it goes through the ratios. So, you have 41 studios, 108 one bedroom, 110 two bedroom and what those totals and it comes to total required of 457. Parking proposed came to 457. And, Joe, the next -- that was figure three, preliminary site plan parking summary. The paragraph after that says City of Meridian Code requires 449 parking spaces based on the mix. So, it says it exceeded, you know, to 457. But, yet, the -- the summary on the left shows 457. So, I don't know why -- why we are off there. But the other thing is we know looking at the other locations we have parking and our -- to meet the requirements and I -- I just think we are off and I think it's because of the economy, because more people are living in spaces together -- it's happening in a subdivision. I live in an R-2 subdivision and just down the street you have eight cars there in front of that house, because they have got people living in there. So, it's just kind of the time. So, not having any extra, not required, you are meeting code, but, boy, that makes it tough. I do see -- so, if -- if you would speak to that. But I -- but I want to tell you there is one benefit about the parking to the west off Meridian Road when we had that to expansion and how they talked about service delivery vehicles, so if you have a teacher married to someone who works in the heating and cooling industry, they each have a vehicle, they got -- he has a service vehicle or could be she -- he could be the teacher. It doesn't matter. But that west parking lot would be a good place to park the service vehicle, cause you would have to keep from moving in and around. So, we have -- we have had to deal with that, too. So -- so, I -- I don't look at reducing parking, I am looking -- thinking of ways you can expand parking, just because we have this unique phenomenon going of -- there is just not enough parking and I think some of the residents talked about parking -- or Council Members on the other side -- or behind Kohl's in that area. There is cars everywhere. So, if you could speak to parking.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: I would like to address the number differential if I may. The eight differences -- the Kittelson study just did for the multi-family, they did not include the one per 500 square feet that we require for the -- the amenity and leasing office. So, that's where the eight spaces come from.

Hoaglund: So, I -- I'm -- I'm sorry -- Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: And -- and Mike, yeah, I'm making it harder. Can you get more parking?

Maffia: Yeah. Councilman Hoaglund, we have -- on the revised parking we have 487 versus the required of 478, so we now have a surplus of parking and as you may know Meridian already has a fairly stringent parking requirement. So, we are -- we are now in excess of that where previously we were matching it. So, we thought -- we thought that would help.

Dodson: Mr. Mayor?

Hoaglund: All right. We got one thing solved. Thank you.

Simison: Yes, Joe.

Dodson: Just to touch on that point a little bit more, the -- from my understanding -- well, first of all, what he's proposing does include the required guest spaces that we did in the last code update in October or something like that. My understanding is none of the developments that have been under that code have been built yet, so we don't really have a visual data like we do some of the other multi-family projects that show that required guest parking. So, I don't necessarily -- from a planning perspective I don't necessarily know if this is too much, not enough, et cetera. From a Planning 101 perspective the whole city has too much parking in my opinion. There is -- there is a waste of land for asphalt and problem with that is just there is not walkable areas. But that's, you know, a much bigger policy discussion. But that -- when you have something like this in closer proximity to those retail you do tend to reduce the trips and then -- sorry, Mr. Mayor. Further to Council Woman Perreault's question with the right turn lane and stuff, ACHD did not -- does not respond to MDAs, but with their abbreviated TIS study they did respond and because it's less trips overall than what the previous use was they are not requiring additional mitigation for less proposed trips. So, they didn't submit a staff report, but, essentially, they did respond with that.

Simison: Council, additional questions, comments?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I just want to say that nearly every time that we have had an applicant go through this process a couple of times and we are finding their site plans with -- taking the -- the questions and thoughts that we have into account, we have nearly every time had a better plan come out of it. So, we -- we -- we have confirmation that the process works when we go through asking these questions and -- and the revisions are made. At least in my five year experience being here with the city. So, thank you for taking all of our feedback with grace. We appreciate it.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: What -- what do you guys think? You have heard a lot of feedback from City Council. Do you want an up or down vote on this? Do you want maybe a continuance to take some of the feedback into consideration and rework it a little bit and come back? It's your -- it's your call. It's your property.

Maffia: I'm -- you know, I'm struggling with it, only because I was asking Deb, you know, I don't know where to go from here. You know, that west -- the site does have limitations. It's got two drive aisles. It's got this odd kind of tag, you know, to the southeast corridor. I have got this development on the corner with two, possibly three drive throughs with a Dutch Brothers. It's -- you know, it blocks visibility and -- and I mean, truthfully, I engaged three architects. We went through three dozen site plans over the last nine months. I have been meeting with Bill and Joe consistently in a very transparent -- and we have kind of struggled with these questions. This isn't the first time it's come up. And if there was a solution that I thought was -- was better than this, you know, I'm open ears right now to listen to those ideas. I just -- I don't know what they are. I mean from a traffic standpoint I know it's a concern, but this is better than the alternative. You know, like you said -- like Councilman Hoaglund, you know, we could build it townhomes. It doesn't pencil. That's not good business. We are going to upset the neighbors to the north. So, there is really not a perfect solution. We could remove the three unit building. But, again, then, you create the desert effect. So, there is a lot of pushing and pulling and, you know, there is -- we looked at so many different variations and connecting those buildings and breaking them up and we have this Milk Lateral that goes through the -- horizontally through the site that poses another challenge. So, it -- it -- it is an in-fill site. It's the last to be developed for a reason. It's got some serious challenges. So, if I knew, Council Woman Strader, if there was a solution like in my mind or if someone had a solution that I thought would work I would pursue it. I just -- I worry that I would leave this meeting and I don't have clarity on what to do.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: That's a fair -- that's a fair comment and I think one of the curiosities that -- that I have at least is if there is -- and you may be exaggerating, but if there is 24 concept designs for this unusual lot, that intrigues me and I -- I would imagine that a good number of those were removed for -- for economic reasons. That in the current climate at these extremely unique, extremely expensive, difficult to ever get anything to pencil, that a lot of really good designs from great architects might not be -- at least might not pencil, to use your terms; right? So, we are trying to think of a decision that lasts a generation and you rightfully are trying to make a decision that pencils and short term, long term, that may be some disconnect. So, it's not necessarily fair to say -- I'm really curious to see what -- how you could have 24 designs on this lot, but I'm really curious to see how you could have 24 designs on the lot. So, it makes me wonder if in a different economic and climate there is a more unique, creative, better site design for this project. It just doesn't pencil today. And you might be able to answer that with your experience, but that's some of our fear and that's not unique to you, it's really difficult to make anything work in this environment of any type anywhere, quite frankly, and you know that better than anybody probably, so --

Maffia: Well, it's not particularly inexpensive and a lot of those variations had to do with site constraints and -- and utilities and just like function -- pure functionality of -- of the site and is it -- is it buildable. I mean my RFP was two of the largest local architects and the first renderings and -- and site plans that came out were so overparked. I mean underparked. I mean we couldn't even build them in the first place. So, you know, that is a pretty significant constraint to -- to these sites and, you know, relative to other projects there is a lot of parking. You know, over time -- I think parking will go down overtime, you know, with Uber and shared vehicles and things of that nature. But, you know, those different site plans and they could pull them up and we could -- we could look at them. A lot of them were larger buildings or connected buildings. Joe saw a lot of them. Bill Parsons saw a lot of them. You know, for some reason they just didn't work for -- for, again, some of those constraints and the fact that we have got this tag or these drive aisles. That Milk Lateral I don't know if you can see it in what you are looking -- you probably can't see it what you are looking at. It's a pretty substantial constraint. It's underground along Ustick and, then, bends south on the site, so -- I mean I have really studied it, so -- I don't know.

Dodson: Mr. Mayor?

Simison: Just a second. I'm just -- Mike, I'm going to go back and try to get you an answer to Council Woman Strader's question to the best of your ability. Up or down or continuance to you at this point in time. Just so Council can help formulate their direction tonight. It's been a long day for everybody and no one likes to make bad decisions and the rest, but I would like to know your -- how you would like to proceed this evening.

Nelson: Mayor, yeah, I'm -- I will -- I will take a stab at that and appreciate the -- the question truly and I hope you can appreciate the response, that it's genuine. So, I guess

if -- if -- if we had support for this plan given the constraints of the site and given the -- the changes and benefits from the approved use and we could get support for that and move onto the CUP to address some of the detailed design and -- and compatibility issues, we -- you know, that's what we would ask for. If -- if the Council truly cannot get there, then, I -- I think we would just be forced to have to go back to the drawing board and -- and we -- you know, we would do our best, even though we don't have an idea right now. I mean does that sound consistent with -- so, I guess we would ask for your vote to support, but if we don't have the votes -- I mean I think we would try. I don't -- do you think a continuance then?

Perreault: Mr. Mayor?

Maffia: Mr. Mayor?

Simison: Mike, go ahead.

Maffia: Mr. Mayor, generally speaking would you prefer to see it as a -- as a VillaSport and -- would that be more aligned with the vision of the city, opposed to more housing? Or traffic. I mean --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Honestly, from where I'm sitting, yeah, I -- you know, that -- for its flaws that went through our whole process; right? Like it -- it -- it's already -- it's already baked. You know, it's already approved, it's already been through our full process. You know, it's not going to be undone at this point. You have -- from what I understand you have the right to build the -- the VillaSport and for -- for feedback from the neighbors from that process, yeah, but, you know, again, it went through the full process and I would argue that that's a compatible use with the surrounding neighborhood to some extent, that they could use a gym, et cetera. Yeah. So, I -- I don't know. It -- I -- I -- I don't feel like it's -- at least to me, like say, hey, if you don't vote for this you are going to get a VillaSport, like that doesn't put a lot of pressure -- no, I -- I know you are not trying to like threaten us with a VillaSport. I don't look at it that way. I think the VillaSport went through the full process and, right or wrong, like that's where we landed and that -- that -- that's what you have the right to build. I can only respond to the concept plan in front of me. I have the concerns that I stated. I think if you -- if you wanted to take this concept plan, if you wanted some direction, I think if you removed the west parking field from your parking you would have to redo your multi-family piece to make it so that the parking worked for the multi-family piece on a standalone basis, that it was, you know, convenient, co-located. What you do with that western piece I don't know. Maybe nothing. Maybe for a while you don't do anything and you sit on it and when townhomes make sense, then, maybe that would make sense. That -- that would be my advice. I just -- I'm really concerned about the disjointed piece of the parking. I still have some of the same traffic concerns, but I think if you remove the western parking field, that would create a constraint

that would honestly force you to decrease to some extent the size of your multi-family buildings and maybe that's appropriate right now for what should happen here in light of the traffic concerns, so -- yeah. I mean I -- I don't know. If I -- it's hard to -- time is money. I don't know. If I were you I would always rather take a continuance than a denial, but it's hard to say. I mean a denial would give you fair, you know, direction and, then, you can always come back if you have a different thought.

Maffia: Council Woman Strader, I really appreciate that. I am looking for -- for clear direction and -- I mean I suppose one -- one alternative would be -- and, then, if the parking aligned -- and I do have Kimley-Horn here -- we could -- we could talk about it -- is to remove Building D and E and -- and self park the site with that parking that would be created there to the east and I guess, like you said, just table that west parcel or that -- that portion for some period of time for an alternative use.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I -- so, I -- I think the -- the -- the challenge that I could see would be as some mixed use regional designation and so you are supposed to have a mix of uses and that -- maybe that is the challenge then I -- I could see, but if you were to remove -- without it in front of me it's hard for me to say, but if you want to, you know, look at that. Maybe that might be worth looking at. I can't tell you for sure if that would work for me without it being right in front of me and -- and -- and to be fair you are a little bit the victim of, you know -- I don't know. Eight -- eight straight hours of meetings. So, that -- that -- that -- but we will stay here as long as we need to, because that's how this Council is. But, yeah, I don't know. What -- tell me which ones would you lose? What would you do?

Maffia: Sure. I mean just what -- what I'm living through in today's world is -- is I don't want to build retail just for sake of building retail. I went to get -- I wanted Mexican food today. There was like four different Mexican restaurants within a hundred yards of -- of this site and there is just so much redundancy, I -- I just worried about building too much commercial and it becomes a second generation kind of less desirable tenants, discount stores, because it's -- it's a national trend and there truly is just a scarcity of housing.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. So, look, if you lose Building D and Building E you are kind of, to some extent, recreating the same issue on the east side; right? And, then, you have got a parking field that's a bit far afield from the nearest building. I -- what I would encourage you is -- you know, if you look at the central piece of this property, you know, Buildings A B and C, is there a way for you to reconfigure these buildings and parking so that the parking and the buildings can be co-located, totally adequate and -- and maybe the economics don't work for that; right? But that would be my advice, though, at this point.

Simison: That was my exact thinking as well for what it's worth or not worth.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: While the applicant responds, I just wanted to note for the mixed use regional there is not a concern from a Comprehensive Plan standpoint from planning that they can't meet that, just because they have -- there is so many commercial uses nearby and there will be a mix of uses. I had another -- oh, I was going to say -- just from what I'm hearing from Council, just to put it bluntly, it sounds like he just needs to take the top story off the multi-family, if not -- at least one building and, then, reduces the parking, et cetera, and go forward. I -- obviously, the economics of it is not something we take into account, but that just sounds like that's what Council wants in order to increase the available parking per unit.

Simison: Again, you said what I was thinking from early on, is reduction in numbers. Park -- park the site, allow the other two pieces to be determined now and in the future what's the best, most sense? But that's, again, my two cents from that standpoint and it may be that parking isn't needed long term over in those locations. It's just -- designing something where that's where you expect people to park, because that's what your only option is. Like that becomes a challenge. With the VillaSport it wasn't guaranteed that they were going to be there, you know. Might have overflowed there each night, but they may never have gotten there, depends on how busy it was. But when you are expecting it and you are putting in the covered parking and that's where you are directing people to a certain extent to park, I think that's part of the underlying issue that's there. Councilman Hoaglund, I know you were looking at some options.

Hoaglund: Yeah. Yeah. Mr. Mayor, you know, one of the options is if you take off the -- the fourth story and it's three stories, that does reduce the parking. It does reduce some of the concerns from nearby residents of the height issue. It reduces traffic even further. I think to Councilman Borton's, you know, comment earlier, does it pencil and that's something that we don't look at, but I know the applicant certainly does and if -- if not now will it -- will it pencil later. That's certainly an option and -- and if you and your applicant want to continue to -- I think July 26 would be when we could get it onto the agenda and have a discussion. Maybe there is more ideas to -- to run by and working with staff to see what that might be.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: In terms of a continuance, I mean that's up to the applicant I guess, but I -- I also just want clear direction as well, because I -- after we get continued, then, I get the same questions, so I need to make sure that I can answer them as well and where I don't have to sit there and design projects for applicants either. I don't -- I'm not good enough

for that, frankly. So, I just want to make sure that I have clear direction on what Council is looking for, too. Best help both the city and the applicant.

Nelson: Mayor?

Simison: Yes, Deb.

Nelson: They could make one proposal and follow up to the suggestion about a lower density that Joe and the Mayor have mentioned. They -- the building -- the building that's to the south that aligns against the neighbors, that they have got the most concerns with, if we reduced the -- the top floor from that, that would reduce the -- the -- the parking burden, then, we could -- we could, you know, potentially locate, as we believe all of the, you know, primary parking on the site and, then, as was mentioned the guest spaces that are built into your code, the clubhouse spaces of course are still needed under your code and appropriate for that overflow, but, then, are less needed for the on-site uses, the primary uses, you are able to fit more of them there, because you need fewer of them.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. I -- I'm wondering what your policy is going to be regarding the garages. We frequently see challenges with residents using them for storage and not using them to park cars and, then, that complicates the parking problem even more and so if, you know, that -- I'm wondering if -- depending on how you do this if you move some of the garages over to that west lot -- you know, if they are used for storage they can be put in a different location. If they are intended to use to park a vehicle, obviously, you want them somewhat near the residences. But this issue of -- we have heard it numerous times in the last year of folks not using those garages for parking. So, this is another added piece to the parking conversation.

Nelson: Mayor, Council Member Perreault, these are -- are carports and so should -- shouldn't be an issue.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Just to further clarify, yeah, all the gray -- dark gray, those are all just carports. And, then, there are some tuck under garages for just a few units here on the -- I don't have elevations to see that, but that's what I have understood from the applicant.

Nelson: Mayor, Council Member Perreault, that's correct. For the smaller buildings they have got their own tuck under and, yes, we would be happy to have rules for those that they cannot be used for storage.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. So, it sounds like there is a thought around reducing the height of the buildings, losing one or more stories in order to reduce the parking burden to traffic. That makes all the sense in the world to me that you are taking a look at that. I would suggest that you ask for a continuance, so we have a chance to review a future concept around that. I -- I still think that the middle of your site -- what I would -- the feedback I would give you is the middle of your site without a parking field in either direction, should support adequate parking for what the guests and -- for what everybody who lives there needs.

Simison: Code -- code requirements.

Strader: Code -- yeah. So -- sorry. Based on the code -- it's been a long day. But based on the code make sure you have all the parking you need in that middle section. I think if you could take a look at that, that -- that makes all the sense in the world. We can give you a continuance for you to work on that, you know, or, you know, we could always just give you an up or down vote now if you guys prefer that.

Maffia: Can I -- I interject? I'm trying to find a solution that works. I'm thinking it's a compromise. You know, the western parking field TBD in the future. We take those parking stalls out of the equation. We reduce the four story rear building to a three story, which helps the concerns with the neighbors, although I -- I truly believe that the buffer and the vegetation will help screen that. But to get all the parking in between it's just the challenge of the site. We already have the main -- there is that one arterial that goes between the three buildings. I mean I'm still going to have that -- that excess parcel and that's just the limitation of this site. It's a challenging site with the L. It's going to be a parking field one way or another, whether we allocate those parking field -- those parking to the multi-family or not. So, I don't know -- I -- I think it -- on the western site, you know, maybe if you do townhomes in the future, but the other parcel -- or Building D and E is it will be a -- I think it will ultimately be a parking lot, whether you assign those parking spaces to the project, and from a practical standpoint you still have that issue. If that makes sense.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. I -- I don't mind if the west parking lot -- and this may complicate things, but the west parking lot still exists, but it's not a main use parking lot. I -- I see it as the service trucks, people who have bigger trucks have a place to park. You may have parking garages. You might even want storage units there and can -- for an extra monthly fee people can utilize those as -- as an option, but -- and -- and, then, if the time comes townhouses -- townhouses are back, they still need parking, so half of its parking, half of its townhomes or whatever. It still works for -- for the neighborhood. But I don't -- I don't

have a problem with that being an ancillary use, as opposed to main use. But that still makes it harder to -- how do you come up with parking to primarily fit everybody in that space? And if your guests can go over there, that's fine, because they aren't there all the time, but -- so, running the numbers, if -- if Building C loses one story what does that do? If Building B now is staggered and you got four and three to make it fit, I -- I don't know. But -- and, then, it's got to come to that ROI for you in the end. So, what -- what will those look like and is that something we can -- we can buy off on? I -- I guess it sounds like to me -- you know, the west parking lot is an issue. Not so much for me, if it's not main, but for others it is. But you don't have to worry about the Mayor. If you get, you know, a majority vote, you know, you won't -- anyway. I just got to remind him of that every now and then.

Simison: I have no role in this, but I also have been mentally counting in my head what -- what I know from what Council has said, so --

Hoaglund: And the Mayor is correct on that, so -- yeah. It's just -- and there has been other things mentioned that there is concern about and if -- if you need clarification and need us to go through one by one to say, okay, here is -- here is the things I -- I need, but start with Council Woman Perreault; right, Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you very much. I know we keep throwing these things at you about -- but we are just -- you know, we are just sharing the things that we hear from our public and -- and code enforcement and, you know, just experience. So, we are really truly trying to help you and not make more of a challenge. So, I lived in a three story apartment building about a year and a half ago in transition between homes and it taught me an awful lot about how traffic moves through these and has helped me be a better council member and one of the things I learned is that my parking spot that was assigned to me wasn't anywhere near as far as what this one will be if it -- if you do assign parking in that west -- it doesn't sound like that's your intention, but if that's what you end up doing -- and I would still pull up in front of the building, put my hazards on, and unload my groceries, because I'm not hauling my groceries that far when I have, you know, ten bags; right? So, I have also lived in Europe and I have learned how to haul groceries really -- really efficient way. But I mean that's just a common thing. So, if you -- if it ends up that -- that the parking stays farther away from the buildings, I would just recommend putting some like 15 minute only parking spots or something for unloading areas, because what -- what happens in these tiny drive aisles they are -- they are -- they are really small. You have got people backing out of carports, they can't see because there is poles in the way and there is individuals stopping and putting their hazards on to unload things, because they have to park way away from their unit. It -- it creates challenges with wrecks and traffic issues and this is going to be private property, so the police can't really, you know, come in and do anything about the disagreements between parties. There is just a lot that we see. So, this is just a big picture conversation than just like we don't like the way that it flows in the concept plan.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: In fairness to you, I -- I'm somewhat supportive of a continuance, even if it's a week -- two weeks. Whatever. Short. I would like to give this some thought; right? I -- I wasn't certain. You asked a great question amongst them of, you know, is the existing entitlement better than this and that's a great question and that's kind of one of the mindsets that we bring into it and -- and you both have presented lots of good considerations to still want to make the right decision and there might be some pivots that we want to do -- you want to try and address it now, but in fairness to you also reducing the story is a big deal and changing lot configurations is a big deal and if it takes a week or ten days to do that and get it right, by all means. We have been here for nine and a half hours and, yeah, I don't want to make a rummy decision and you don't deserve a rummy decision. My concern.

Maffia: I absolutely appreciate that, Councilman Borton, and I'm -- I'm flexible. I'm listening to you. I think, you know, Council Woman Perreault, you just had a great suggestion about short-term parking. What I'm trying to get is clear direction, because I'm going to call up Joe and Bill in a couple days and I'm going to say where do we go from here, you know, even, you know, taking off the top story is a big move for me. I can explore -- and even tonight I would be fine with getting rid of the -- eliminating the parking field to the west and self parking the site. But, then, eliminating the parking to the west and the east -- I mean ultimately I think -- you know, early in my discussions with Bill and Joe it was about strengthening this connection between retail and the multi-family. I mean we spent a lot of time with that exercise and the importance of it and I think, you know, you can build retail up on the Eagle and, then, it becomes -- either it's multi-family or it's parking. So, it's kind of a no man's land and this is really the -- the crux of the site plan and I thought this was the most elegant solution. But my -- I guess my point is if it becomes parking and whether it's a parking field, whether those parking stalls, are counted towards the density in the middle of the site or if it's just a parking field, it's still a parking field at the end of the day and I -- but I'm just hoping to walk away from this with direction. I'm fine with a continuance. Otherwise, I'm grasping at straws and -- for the site.

Strader: Mr. Mayor?

Simison: Councilman Borton.

Borton: Is that -- your -- your concept of -- of self parking it, eliminating the need to the west, seemed to be the most efficient solution.

Maffia: Correct. I would be okay with removing the parking field to the west and designating that for townhomes or some alternative use. But not using those stalls. Removing a floor from Building C and, then, I would have to pick up some parking -- I think where D and E is and I have Kimley-Horn here tonight that can verify those counts.

But it keeps the core of the project, those three buildings, where we do believe there is a lot of efficiencies in that four and, then, a three story building creating that corridor, protecting the amenity space and, then, still having the -- the one drive aisle down the center providing some direct access, parking, is -- is a good site plan.

Nelson: And Mayor, Council Members, if -- if it's possible to come back sooner, it's easier to kind of get to a continuance. If we could possibly get back next week.

Dodson: Mr. Mayor? You probably are going to say what I'm going to say.

Simison: Well, in theory we don't have meetings for the next -- until three weeks from now, which is part of the challenge.

Dodson: Correct. Mr. Mayor?

Nelson: If we also had support for the concept that Mike just rolled out, we have to go through a conditional use permit still and -- and -- and we could incorporate that into that site plan, take the Council's direction into that process with these revisions that he just offered in response to your comments.

Maffia: If I could address you, because they just did the math to -- to remove -- I mean it's a dramatic change to remove the parking field to the west. It's 98 stalls. I would have to lose the top floor of all those buildings and make them three stories. So, I would lose 60 units -- 65 units. So, it would be lower in scale. It would be less parking. What are your thoughts? I'm -- I'm -- because I think that's what we would come back with in a month and there is only so much optionality, other than just to blowing it up and going commercial. I really think there is a need for residential. I truly believe it fits with this area. There is a need for it. I will build something very attractive. This is not my first development. I am a long-term investor. I'm not a merchant. I think these are really important considerations and the three story would certainly help address that transition, although being the second busiest intersection in Idaho, this is going to get dense overtime. And the three story I think will be -- you know, it's lower in scale.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Joe, can you share more with us your thoughts on having those buildings in between the commercial and the large multi-family and a transition? I -- I just -- in this situation with mixed use regional and the way that the property to the north is developing, I don't see I guess the great benefit of those not being some sort of business use, rather than residential use, given that there is a street dividing them, that street is probably going to be pretty -- Cajun is probably going to be pretty well used with a Starbucks in there. I -- that's -- that's one of the things that I just keep mulling over in my brain is like I want to see actually a little bit more business use than residential use in this location. So, I'm just

curious your thoughts on the recommendation to the applicant. Maybe there is something I'm missing.

Dodson: Well, Council Woman Perreault, great question. I -- again, what I envision in my mind's eye and I think from a planning perspective is -- usually doesn't pencil for developers and the viability of that secondary -- what we keep hearing -- that secondary commercial that doesn't have visibility, et cetera. Granted, I never pick a business by driving by, I just Google it, but, you know, what do I know. It -- I don't necessarily see a -- a winning solution on that end. I don't want it to be just an island of parking on a purely principle of do we really need all that extra parking and even if it's an office use do we need another dentist office or something like that? I -- I don't know if that to me gains the same amount as having the multi-family there that would probably be more than likely very directly use that -- that retail to the east. I -- I had concerns with the scale, which was more of what I was addressing in my staff report was the three story compared to a two story and that component there. But I wish I had a better answer for you. I just -- I don't necessarily know if one is better than the other. I think a lot of it would be the -- the market demand on that piece of -- if we made that more commercial how long is that just going to sit there and, then, we get another DA mod in two years asking for that to be changed to something else. I -- I don't want to keep repeating that cycle. I -- I think the multi-family buildings -- what other scale they are would probably be more viable and activate that patio area more than just having parking and --

Maffia: Can I speak to that briefly? I just don't think it's the right marriage of uses to go from something that's now lower scale and kind of nestled into the site as you transition to the retail, something we worked on closely in your passing medical supply company, you know, because it doesn't have visibility. It's not going to be an active use. I just don't -- I don't see the relationship, to be honest. I mean I -- I really appreciate the collaboration and I'm trying to be flexible but I just want to build something that's quality and timeless and to me that's --

Simison: From what I have heard at least from Council generally, parking -- and if you are able to reduce the number of park on site, not make a determination about the west -- I mean that someday could be residential, that someday could be light office. I mean you will make that determination based on what the market -- or the residents of the area demand and leave that -- I haven't heard much about the commercial over on the other side not fitting in with this, but as a middle person who may or may not have any input on it, I'm comfortable with the reduction by one story of each where you get the parking there and designate the west lot at a future point in time for what is best for the site as you learn more about the site personally, because I -- I think it would be -- even with the neighbor next to it, they don't want a parking lot, they don't want townhomes, but do they want a day use. That probably I don't think has as much of an opposition long term to -- to the neighbor. I don't -- I'm not going to guarantee that, but I understand you can only do it -- not up on the road, because the lateral like where the -- or the easement that runs through or can you do one on that easement up on the road? I don't know in the long term. But that's for a future date.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I'm in complete agreement. I think it's -- it's -- we have -- we have pushed this as far as we are going to take it, just to be blunt. I think it's -- you have gotten a lot of feedback. It sounds like you need to reduce your buildings by three stories. However you do that I don't know. Maybe the one that's closest to the neighbors should be two stories and you can do something creative with the others. I have no idea. I think if you make sure by code you have all the parking you need for that multi-family co-located right there you are on the right track. Then maybe that other thing is a bonus overflow. Maybe it becomes a different use in the future. I -- I think that's where we are at. You need time to come back I think. You take all the feedback, come back to us. I feel like we are -- we are beating this thing to death right now honestly. Just to be really blunt. I'm sorry. But I --

Maffia: I worked really hard on this. I'm trying to --

Strader: Yeah.

Maffia: -- I'm trying to be practical about it, but I'm -- I also been doing -- I try to build quality projects, but if it ends up as a parking lot, it's a parking lot whether those parking stalls are for that site or it's just there as parking stalls.

Nelson: But I guess -- but, Mayor, if I could. What we are hearing, though, from the feedback is that this can work with the three stories and that -- so, if we can get the parking -- if we reduced enough by taking off each of the top stories, then, we have got a site plan that could be approved with a DA and I guess -- now, if that's the case -- and I understand that's a major concession, so Mike has to nod yes or no, but I guess we are asking for your approval of that tonight, because that is the site plan that's before you is the footprint before you and you can condition it that the parking has to be, you know, not included in the western property and that condition would address your concerns and, then, we can -- as you said, Council Member Strader -- kind of work out the details in the -- in the CUP. But you have the site plan in front of you then. So, we would ask for your approval tonight, rather than coming back to present exactly that.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: If I understand that right, though, the western lot isn't parking in any form. It's --

Maffia: That's right.

Borton: It comes -- is that a future application of some future use?

Dodson: Mr. Mayor? That was going to be my question of how does Council want to handle that today or if we continue it or whatever. It -- typically with a concept plan we try to adhere to them. So, if it's just a blank slate do they have to do another DA mod later to propose a building or do we include a provision that says it's allowed to be -- I don't know -- multi-family or a parking lot or something, that's where I understand the applicant's desire to get an approval tonight. That's where I don't know if Council is ready to say yes tonight, because they -- I don't want to speak for you, but typically they like to see what it is that they are approving in its final rendition, especially for a development agreement that is so heavily tied to the concept plan. So, I would like clarity on that piece of it of how we would address that western piece as a future application.

Nelson: Mayor, we are comfortable having to come back for a DA mod if we put on anything -- anything there that's not already an allowed use. So, townhomes are currently an allowed use there, so that would be a future development that we would ask that would be allowed. But anything else -- if we put something there that requires a change in the use, we understand that that would require a future DA mod, to respond to Joe's concern there.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: This is the stuff that drives me nuts. You may be right, you may be wrong. I hate doing this nine hours in. Again, it's not your fault, but that's the challenge with not buying a little bit of time, because we are going to try and cram in some answer to this and have a condition with the condition. So, that's what's hard.

Hoaglund: And Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. And -- and I don't know if -- how early you were here, but, you know, we started our budget workshop at 1:00 o'clock today, so we have been at it since then. So, that's why -- and running those numbers and our discussions we had was always a challenge. But it's good. In checking with the members, we weren't -- we weren't able to have a quorum based on travel plans for the 12th and checking through things it looks like we can have a quorum for the 12th and I -- I -- to Councilman Borton's point, I don't -- I don't want to miss something. I don't -- I don't want Joe to go, oh, I didn't think of this at that time, because we are just going through this and -- and -- and trying to do the best we can and you guys are trying to do the best you can. We get it. The neighbors, you know, hear things like, well, wait a minute, townhouses are going to be on that west lot. Wait. Wait. You know. So, we just need to make sure we take the time to go through it and make sure we get the details right. So, if Councilman Borton can call in -- I know you are -- you are traveling for the 12th. I think, Councilwoman Strader, your plans have changed for the 12th and, then, Councilman Cavener possibly may be able to -- to call in or -- or be here, depending on some changes in his plans that he has -- he has recently

had. So, I think, Mr. Clerk, that would be the only thing we would have that night at this time. If we are going to have a meeting and other things come up we could probably take them up. So, just nod of head, thumbs up, are we good with continuing this to the 12th? Okay. Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we continue the public hearing on Centrepont Mixed Use MDA, H-2022-0035 -- 0035 to July 12th.

Perreault: Second.

Simison: I have a motion and a second to continue the public hearings. Is there any further discussion -- or discussion?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: This -- this process is clumsy. Just trying to make this thing right. I think we are taking the time -- like you take the time to get it right. I know it may be frustrating, but I think it's all with good intentions and we don't want to be tired and deny a project, quite frankly, candidly. So, in fairness to this good project I think this is a better decision. So, I appreciate your patience, both of you.

Simison: Okay. Is there further discussion on the motion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the item is continued to the 12th. See you back here then.

Nelson: Thank you.

Maffia: Thank you very much.

MOTION CARRIED: ALL AYES.

## **ORDINANCES [Action Item]**

### **6. Ordinance No. 22-1982: An Ordinance Adopting the Meridian Districting Plan; Adopting a Savings Clause; and Providing an Effective Date**

Simison: Council, that brings us to Item 6 on your agenda, Ordinance No. 22-1982. Mr. Nary, are we asking the Clerk to read this ordinance by title? Do you need to have a motion from Council to take up the ordinance?

Nary: So, yeah -- yeah. Mr. Mayor. So, yeah the -- the direction is either -- if you are comfortable going ahead with it tonight you can. Clerk can read the title. If you want some more time to think about it or notice it for another hearing, if that's the Council's desire, we can certainly do that on the 19th or the 26th.

Hoaglund: Okay.

Nary: So, it's your call.

Simison: It's Council's call. Council, what's your direction on this item?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I'm happy to move forward, unless Council feels like that we need added public hearing. This is somewhat of a unique issue before us, because I think the question is is the map legal. We heard from our legal counsel that it is. I think this -- we have had three public hearings. I'm comfortable as one who always tries to advocate for more public hearings, I think three has been sufficient, so I'm happy to move forward tonight.

Simison: Okay. Well, then -- Council Woman Perreault.

Perreault: I agree with Councilman Cavener. We had a pretty narrow specific issue that we were considering and Mr. Sterman did a great job -- Starman did a great job of -- of making that presentation. So, I'm going to make a motion that we approve Ordinance No. 22-1982.

Simison: If we can have the Clerk read it first, then, we will come back to you after we do that, so -- so, with that, ask the Clerk to read Ordinance No. 22-1082 by title.

Johnson: Thankfully this is brief. This is an ordinance adopting the Meridian Districting Plan, adopting a savings clause and providing an effective date.

Simison: Thank you. Council, you have heard this -- this ordinance read by title. Would anyone like this read in its entirety? Hearing none, do I have a motion?

Perreault: Mr. Mayor, I'm glad we didn't miss that.

Simison: Council Woman Perreault.

Perreault: I -- I move that we approve Ordinance No. 22-1982, an ordinance adopting the Meridian Districting Plan, adopting a savings clause and providing an effective date.

Cavener: Second.

Simison: I have a motion and a second to approve Ordinance No. 22-1982. Is there any discussion? If not, Clerk will call the roll.

Johnson: Mr. Mayor, Mr. Nary, do we need to mention waiving the reading rules or is that implied? Okay. Thank you. My apologies.

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

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

MOTION CARRIED: ALL AYES.

### **FUTURE MEETING TOPICS**

Simison: Council, anything under future meeting topics?

Bernt: Mr. Mayor?

Cavener: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: A point of privilege, please.

Simison: Yes.

Bernt: Just wanted to take a couple seconds to wish some dear friends, definite long standing, highly respected residents of the City of Meridian, a couple that we all love and respect and that is Charlie and Nancy Rountree. It's their anniversary today. Fifty-three years. So, cheers to Charlie and Nancy. You guys are the best of the best and we love you both. So, hope today was great.

Simison: Are you going to make them go back and watch that?

Bernt: Give them a heads up.

Simison: Okay. Well, I think we can all concur in those fine remarks. Thank you, Councilman.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: We had I think a very -- very emotional public hearing -- public comment section to start our meeting today. It feels like that was maybe yesterday. It sounds like you have

had some good coordination with these individuals with ITD and ACHD, but in light of that information perhaps an informational update at a future workshop about what's been planned or discussed and what action that the Council can take to maybe support some of the recommendations that came from our citizens tonight.

Simison: Okay.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. Just an update, something I'm working on. I'm really taking a look at urban agriculture as something that our city could focus on and some possible code changes that might support that. Just a heads up. I don't think it's quite ready for discussion, but maybe at some point late August, early September I think it would be. Thank you.

Simison: Thank you. Anything else or do I have a motion to adjourn?

Hoaglun: Mr. Mayor, I move we adjourn.

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

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 9:45 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

\_\_\_\_\_  
MAYOR ROBERT E. SIMISON

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
DATE APPROVED

ATTEST:

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK