

A Meeting of the Meridian City Council was called to order at 6:02 p.m. Tuesday, August 22, 2023, by Council President Brad Hoaglund.

Members Present: Brad Hoaglund, Luke Cavener, Jessica Perreault, Liz Strader and John Overton.

Members Absent: Robert Simison and Joe Borton.

Also present: Chris Johnson, Bill Nary, Sonya Allen, Jeff Brown, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

<u> X </u> Liz Strader	<u> </u> Joe Borton
<u> X </u> Brad Hoaglund	<u> X </u> John Overton
<u> X </u> Jessica Perreault	<u> X </u> Luke Cavener
<u> </u> Mayor Robert E. Simison	

Hoaglund: All right. I will call the City Council regular meeting to order. For the record today is Tuesday, August 22nd and it is 6:02 p.m. Our first item of business will be roll call attendance. Mr. Clerk.

PLEDGE OF ALLEGIANCE

Hoaglund: Our next item is the Pledge of Allegiance. Please rise as we say the Pledge.

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Hoaglund: Our community invocation will be given by Cindy Reese. Come on up and for those of you in attendance or online, please, join us in the community invocation or take this for -- as a moment of silent reflection.

Reese: Our Heavenly Father, we are grateful for the opportunity to gather this day to do the will of the citizens and to be of service to them. We are especially thankful for the moisture that we received over the last few days. We are mindful, Father, of the children starting school and ask a blessing for their safety as they travel to and from and as they are in their schools. We ask a blessing upon the teachers that they will be led to know the things they can do to be at the greatest service to the children and help the children progress in their learning. We ask a blessing also upon our police and firemen that they will be protected as they serve those in the community. We are grateful for the ability to live in this country and to have a representative government that is of the people and for the people. We ask a blessing upon all of those in leadership positions

that they will be sensitive to thy promptings to know the right things to do to make this valley and this area the best that it can be for all of the families therein and we say these things and give thee thanks in the name of Thy Son Jesus Christ, amen.

ADOPTION OF AGENDA

Hoaglund: Thank you, Cindy. Next item on the agenda is adoption of the agenda. Do we have a motion to adopt the agenda?

Cavener: Mr. President?

Hoaglund: Councilman Cavener.

Cavener: Move that we adopt the agenda as published.

Overton: Second.

Hoaglund: Have a motion and a second to adopt the agenda as published. Is there any discussion? All right. All those in favor say aye. Any nos? We have adopted the agenda.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

PUBLIC FORUM – Future Meeting Topics

Hoaglund: On the public forum, Mr. Clerk, it looks like we have a couple people signed up and I want to ask for the description of the topic, multi-family, Chinden Boulevard, is this the topic that's on the agenda? On -- is it Item No. 1, Linder Village? Yes. Okay. So, we will -- we will have you come and we will -- when we get to that point we will ask it -- we won't do it in this public forum. That's for just general miscellaneous topics. So, we will -- and that's Greg Hunter and Jason Hunter; correct? Okay. So, we will let you have -- we are going to take action on that. There is an issue with that. So, make sure you are aware. Okay. Thank you. So, Mr. Clerk, do we have anybody else online for --

Johnson: Mr. President, no, that was everyone.

ACTION ITEMS

- 1. Withdrawal Request for Linder Village (H-2023-0005), by CSHQA, located at Southeast corner of N. Linder Rd. and W. Chinden Blvd.**

Hoaglund: Okay. Thank you. We will move on to Action Items. Item No. 1 is a withdrawal request for Linder Village located at the southeast corner of North Linder and West Chinden Boulevard. This was a hearing that was continued to October 3rd, Mr. Nary, and now they are asking for withdrawal. So, can you enlighten us?

Nary: Yes. So, Mr. President, Members of the Council, so it happens on rare occasions, but it happens on occasion that an applicant will decide to withdraw. The reason we have asked to put it on the agenda tonight for that consideration is the noticing for the October 3rd meeting is coming up. It hasn't been done yet and rather than incur the expense and time to notice a meeting, draw people's attention to come to the City Council meeting for withdrawal seemed like a lot of effort for both the public, as well as -- the -- the applicant and providing notice. So, the thought was if the -- if the Council's desire is to grant that withdrawal we grant that. We will, then, provide notice back in some form, probably through the website, probably through NextDoor, to let people know that the application has been withdrawn. But rather than go through the full hearing process -- because when you do our normal public hearing it looks like we are going to hear it where all we are here for is to withdraw it. It seemed like it would make more sense to simply move that along and do it this way. But you are certainly free to not take it up tonight and we would do the third -- reading on the 3rd. We will notice it up, we will make sure the notice indicates the request to withdraw it, but we just thought to expeditiously get this done with.

Hoaglun: Any questions for Mr. Nary by Council?

Cavener: Mr. President?

Hoaglun: Yes, Councilman Cavener.

Cavener: Bill, could we still do -- even if we accept the withdrawal could the city send out a notification like we normally would to the residents letting them know that this has been withdrawn? I understand typically we ask the applicant to pay for that, but in light of them I think trying to be proactive and save the disruption of neighbors lives, I appreciate that they are here tonight, but I also think that it's important that we get that information back out to them and I just -- I don't know what that process is.

Nary: Yeah. We -- Mr. -- Mr. President, Members of the Council, Council Member Cavener, I mean certainly we can -- we will use the same mailing list of what we were going to mail out. We probably just need to change the wording of it to reflect the action that's been taken. But there is certainly no reason we can't do that if you would like us to do that. Like I said, we were trying to -- it appears that we are actually having a hearing when we are not.

Cavener: Right. Yeah.

Hoaglun: Any other comments, questions? No?

Cavener: Mr. President, I will make a motion and maybe a quick commentary, because I know we had a couple of people who signed up to speak at a public forum about this, but because there is a request there isn't really a public hearing for us to take commentary on, because they are withdrawing the application. So, I don't want you to feel like that we are ignoring you, but rather the case of what is before us. So, Mr.

President, I move that we grant the withdrawal request for Linder Village, H-2023-0005, and request that the clerk's office send out communication to our mailing list that surrounds that proposed development informing those residents that this application has been withdrawn and there will not be a public hearing for it on October 5th.

Strader: Second.

Overton: Second.

Hoaglund: All right. We have a motion and a second to withdraw -- agree to the withdrawal request, as well as to notify the residents that it has been withdrawn, if Council votes that way. So, I'm assuming, Mr. Clerk -- or, Mr. Nary, we have to take a roll call vote on withdrawals or is that a voice vote?

Nary: Voice vote.

Hoaglund: Okay. Voice vote on that. So, all those in favor of the withdrawal request being granted signify by saying aye. Any opposed? All ayes. Motion carries. So, they have officially withdrawn that request to move forward.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Nary: Mr. President?

Hoaglund: Councilman -- or Mr. Nary.

Nary: Mr. President, Members of the Council, one other -- one other addition. Mr. Johnson and I have already spoken, so on the October 3rd agenda we will still note it there, but note it was withdrawn on this date. So, even if the only place you followed along was the agendas you would see it and notice that it was withdrawn.

Hoaglund: Okay. So, the Hunter folks can go back and say they successfully oversaw the withdrawal of the request. The third time's a charm. Great. Thank you.

2. Public Hearing for Sessions Parkway Subdivision (H-2023-0030) by KM Engineering, LLP., located at 2700 N. Eagle Rd.

- A. Request: Modified Development Agreement to amend the existing Development Agreement (H-2022-0046, Inst. #2022-033831) to allow one (1) building permit to be obtained prior to recordation of the plat and allowance for submittal of a Certificate of Zoning Compliance and Design Review application for subsequent proposed uses prior to recordation of the Plat; and a request for Council approval to reduce the buffer requirement in the C-G zoning district to residential uses to the east from 25-feet to a

minimum of 8-feet.

Hoaglund: Up next is a public hearing for H-2023-0030, the Sessions Parkway Subdivision. Sonya, what do you have for us tonight?

Allen: Mr. Mayor -- or Mr. Mayor is not here. Council President Hoaglund, Council, Sonya has a presentation for you tonight for Sessions Parkway development agreement modification application. This property is located at 2700 North Eagle Road on the east side of Eagle, approximately a third of a mile south of East Ustick Road. A little history on this property. A development agreement was recently approved for this site in June that included two options for conceptual development plans for the property and other provisions related to future development of the site. A final plat was approved earlier this year for this property. That's in the signature process. The Comprehensive Plan future land use map designation for the property is mixed use regional. The applicant is requesting an amendment to the existing development agreement to allow one building permit to be obtained prior to recordation of the plat and allowance for submittal of a certificate of zoning compliance and design review application for subsequent proposed uses prior to recordation of the plat and request for City Council approval of a reduction of the buffer requirement in the C-G zoning district to residential uses to the east from 25 feet to a minimum of eight feet. While it's preferred that a subdivision plat is recorded prior to submittal of a certificate of zoning compliance and design review applications and subsequent building permit applications to ensure compliance with dimensional standards and construction of improvements for the overall site, it is not a UDC requirement. Therefore, staff is amenable to the request provided that all of the street buffer landscaping along North Eagle Road, State Highway 55, including the ten foot wide multi-use pathway and pedestrian lighting and the backage road along North Eagle Road from the north to the south boundary with connections to Eagle Road and the development to the east are completed prior to issuance of the first certificate of occupancy within the development as would be required if the property was not being subdivided. Staff has included these requirements as a provision of the amended development agreement in Section 6-B of the staff report. This reduction, if approved, would apply for hotel development on the site, development option number two in the development agreement. A reduction to the buffer width does not affect -- I got my thing out of order here. I am so sorry. I was trying to figure this out as I was talking and I just realized -- I'm going to back up a little bit. Pardon me. The applicant is also requesting City Council approval of a reduction of the buffer requirement in the C-G district to multi-family residential uses, which are apartments to the east from 25 feet to a minimum of eight feet as allowed by the UDC with notice to surrounding property owners. This reduction, if approved, would only apply if a hotel develops on the site, which is option number two in the development agreement. If the property develops in accord with option number one, the full buffer width would be provided. A reduction to the buffer width does not affect building setbacks. All structures are required to setback from the property line a minimum of the buffer width required in the district, which is 25 feet. A seven foot wide perimeter buffer is being provided on the property to the east along the shared property line, which would result in a total buffer width of 15 feet if Council approves the reduced buffer width proposed. A mix of trees, one per 35 linear feet and

shrubs, are being provided within the buffer as shown on the approved landscape plan. And that is the one there on the lower right. With the perimeter buffer parking, a drive aisle and pedestrian walkway, a minimum of 75 feet is being provided between the shared property line and the nearest residential structure to the east. All buffers to residential uses are required to be comprised of, but not limited to, a mix of evergreen and deciduous trees, shrubs, lawn or other vegetative ground cover that results in a barrier that allows trees to touch within five years of planting. Trees that will not touch until maturity outside of this time frame must be supplemented with additional materials, such as tall columnar evergreen shrubs or other qualifying materials. Where proposed adjacent land uses cannot be adequately buffered with plant materials, the city may require inclusion of a wall, fence, or other type of screen that mitigates noise and/or unsightly uses. If a wall or fence at least six foot tall is provided the planting requirement may be reduced to a minimum of one tree per 35 linear feet, plus shrubs, lawn, or other vegetative ground cover. There is a ten foot wide pressure irrigation easement that runs along the east boundary of this site, which may prohibit trees. If so alternative compliance should be requested to the buffer material standards in the UDC. Staff recommends at least a portion of the required trees be provided within the perimeter buffer on the adjacent property to the east, which is also under ownership by the same developer resulting in a barrier that allows trees to touch within five years of planting to screen the residential uses from the hotel. The remainder of the required trees could be planted elsewhere within the site. Staff is of the opinion the reduced buffer width planted with extra trees that result in a barrier combined with the distance to the nearest residential structures provides an adequate buffer to the future residential uses from the proposed hotel. If Council believes additional buffering of the residential property is needed a wall or fence at least six foot tall could be required on the shared property line. Development plan options one and two in the development agreement depict a north-south pathway within the perimeter buffer along the eastern boundary of the site and pedestrian connections to the east to the multi-family development, which is currently in the development process at the north and south boundaries of the site. Staff is of the opinion the pathway would be better utilized if it were located along the west -- excuse me -- the east side of the main north-south drive aisle in the commercial portion of the development, rather than on the shared property line between the commercial and residential development. I'm going to show you with the cursor right here where I'm talking about. It's this -- this driveway right here. The sidewalk shown on the concept plan, the development agreement, is along the east boundary right here. To better accommodate the pathway in this location and the hotel, staff recommends a lesser buffer width of five feet is provided along the east boundary, which would total 12 feet with a seven foot wide buffer on the adjacent residential property, with a minimum four foot wide sidewalk along the east side of the drive aisle. Staff further recommends decorative crosswalks are provided across internal drives where walkways are proposed for pedestrian safety. Pedestrian walkway connections should still be provided to the residential property to the east at the north and south ends of the site as depicted on the concept plans in the development agreement. Staff is recommending changes to the development agreement accordingly. Written testimony was received from Stephanie Hopkins, KM Engineering, the applicant's representative. They are in agreement with the staff recommendation in the staff report and staff is recommending

approval with the provisions noted in the report. The applicant is here tonight to present testimony. Thank you.

Hoaglund: Thank you. Any questions for staff?

Strader: Mr. President?

Hoaglund: Council Woman Strader.

Strader: Thank you. Thank you, Sonya. Can you just explain a little bit the rationale of the relocation of the pathway and why staff feels that that is a better location?

Allen: Yes. Madam Councilman. The pathway along the east side of the main north-south drive aisle -- if you can see on the site plan that's on the lower right hand, this is the entire site here. The hotel is planned on the eastern boundary of the site. This is going to carry this drive aisle along the west boundary of that hotel, which is right here -- is going to carry most of the traffic through the development. The sidewalk plan between the commercial and the residential is just clear over here on the east boundary and there are no pedestrian facilities that run north-south in the commercial portion.

Hoaglund: Any other questions for staff? If not, would the applicant like to give your name and address.

Hopkins: Thank you, Mr. President, Council. Stephanie Hopkins with KM Engineering. 5725 North Discovery Way in Boise. Thank you for having us here this evening. It's nice to see you all and thank you to staff for doing such a great job of summarizing our request. We have been coordinating with her quite a bit in the past couple of weeks trying to kind of work through some of these conditions and just trying to make the site work with the second concept plan in the development agreement. So, I think -- I have a presentation. I think -- okay. We came before you in January of this year with a development agreement modification on the subdivision for Sessions Parkway. You approved it at that point and with two concept plans, as Sonya mentioned. This -- tonight we are going to be discussing development agreement modification that will apply primarily to the second concept plan, which is the extended stay hotel concept. There is actually a conditional use permit that will be heard by Planning and Zoning Commission on September 7th for that application. So, the site plan changes anything that kind of occurs this evening, if approved, would go forward with that site plan. Just to get you situated, I think, you know, where we are, we are just to the west of the Village Apartments on the east side of Eagle and south of commercial development, north of Regency at River Valley and River Valley Road. This is the -- this is the concept plan that was approved with the development agreement. Basically exactly the same, but as Sonya was kind of discussing, there was a pathway that was approved on the east side that we have now relocated to the west side of the site adjacent to the north-south drive aisle. We -- initially when we were proposing this concept plan we had kind of conceptually laid things out as we had been working with the hotel user, the site's a little bit tighter for the amount of landscaping they would want to have adjacent

to the building, as well as other pedestrian pathways and so that's the primary reason for the decreased buffer width that we were requesting on the east side. So, as mentioned we are requesting two modifications to provisions in the development agreement. The first one is the subject property shall be subdivided prior to submittal of the first certificate of zoning compliance and building permit for the property. We are requesting that we can -- that the developer could get a building permit prior to plat recordation and the -- the flexibility to allow tenants -- or future tenants to apply for a certificate of zoning compliance and design review prior to the plat recording. We are working -- the reason for this is the frontage on State Highway 55 is ITD jurisdiction, so they need to review and they are pretty backlogged and busy, so it's been challenging to get through their review process in a quick amount of time. So, we just want the flexibility really to be allow -- to allow future tenants to kind of get their approvals in place before committing to a site and knowing that they want to locate here. Second. And this is just kind of giving you an overview of -- this is the State Highway 55 frontage. We have been working with ITD in getting it -- we actually recently got our plans approved, so the plat is moving forward. But the provisions -- modifying the provisions will still be helpful for the developer moving forward. The second DA provision that we would like to request to be changed is the 25 foot landscape buffer that we were discussing. The primary reason for this is the site is just pretty compact and it's difficult to fit the hotel's footprint, as well as the -- like increased buffers from the edge of their buildings to the parking and so in order to accommodate that we have kind of squeezed everything and given the use of an extended stay hotel and The Village apartment use. We figured that those uses are pretty consistent and compatible, residential in feel, and a reduced buffer here would make sense, but it would also provide us the opportunity to relocate a pathway onto the west side of the property to provide an additional pedestrian connection, as Sonya was talking about. So, you have a graphic that -- I think this might be the old presentation. That doesn't have the new graphic. I created a graphic just to show the different dimensions to kind of depict exactly how far away the buildings are from each other and, then, parking areas and landscape areas, too. So, I think that will be useful to review. Council Members, can you see this? Either would bring up the exhibit. Do the exhibit. Of the PowerPoint. Okay. So, this depicts how far away everything is from each other. So, there is about 15 feet. We -- so, I guess I should mention we have started to revise the landscape plan and our site plan in accordance with Sonya's recommendations, just to make sure that everything will fit and that we could accommodate the buffers, as well as landscaping within the buffers. And so we have started to shift the site based on the five feet on the east side that she's recommending to you all and so this is reflective of those changes as we have kind of gone through. As you can see it does show the sidewalk connection on the far west side adjacent to the drive aisle, as well as connections to the north, so -- and, then, there was another condition that had required a connection of the sidewalk here that we have added as well. So, the -- the total landscape buffer between properties -- for the Village Apartments property and the Sessions Parkway property at the north part of the property would be 15 feet. Distance between the edge of the hotel building to the edge of the further -- the farthest most west apartment building would be about 176 feet. There is about 87 feet between the edge of the hotel to the property line and about 12 feet on the south side between the -- the land landscape buffer between the properties

-- between the Sessions Parkway property and the Village Apartments property. There is a little bit of a jog in the property line, so it kind of goes bigger on top to smaller on the bottom. So, looking at these distances we feel that the decreased landscape buffer is appropriate and will work well with the development. The pressurized irrigation line that Sonya mentioned is private, so there is an opportunity to locate trees within that easement and we will work on locating them in a way that won't conflict -- conflict with existing trees, as well as the -- the pressurized irrigation line itself. That's something we will continue to coordinate with them on. I think, yeah, that's the extent of our request. The developer is here this evening if you have any questions for either him or I he can come up and discuss further. Thank you.

Hoaglund: Thank you, Stephanie. Council, questions?

Perreault: Mr. President?

Hoaglund: Council Woman Perreault.

Perreault: Thank you. Hi, Stephanie.

Hopkins: Hi.

Perreault: So, if we were -- if -- if this was a three dimensional image here and we were standing on the south looking, you know, right on the property line looking at the two properties we would see the back garage that -- I'm assuming these are garages here on the very west side of the -- of the apartments. We have the back garage and, then, we would have 15 feet of landscape buffer and, then, we would have a curb and, then, we would have the parking lot and so that landscape buffer you are saying -- so, it's truly 15 feet of landscape buffer, not including curbing and, you know, I want to understand what is that -- like the landscape buffer, the current -- you know. So --

Hopkins: Mr. President, Council Woman Perreault, that would be -- that would be strictly landscaping. So, on the south side it's actually 12 feet from curb to curb on the inside. So it's just landscaping. And, then on the north side it's 15.

Perreault: Okay. So -- and which portion of this -- or how much of this is not able to be treated as it is? Is there an easement that runs like the full length north to south and you can add trees on the sides or are we talking about not allowing any trees in that entire 15 foot section?

Hopkins: Mr. President, Council Woman Perreault, the ten foot PI easement is -- it kind of encroaches actually into the parking. We can't see it here, but it comes in probably about two or three feet into the parking, because it's -- because we have shifted the landscape buffer over essentially. So, we can locate -- because it's a private line we can locate things over it and within it. We will just need to make sure that we are not hitting the pipe itself or we are conflicting with the existing trees that have already been installed. So, we will need to look at that a little bit more just to make sure that we are

kind of spacing them accordingly. But I don't think we will have a problem meeting the requirements. The one -- I think it's one per 35 feet. Sonya; is that correct? Okay.

Hoaglund: Any other questions for the applicant? Council Woman Strader.

Strader: Thank you. Thanks for being with us. Can you just refresh my memory as to the height of the hotel and the height of the apartments?

Hopkins: Mr. President, Council Woman Strader, so the apartments -- and I may have to ask Trevor for help on that, because I can't remember off the top of my head, but the hotel is four stories. I want to say it's right around like 35 feet. I could look at my computer and tell you for sure. Okay. So, they are both four stories.

Strader: Mr. President?

Hoaglund: Council Woman Strader.

Strader: Thank you. That's very helpful. And, then, I believe the multi-family apartments when you came last time were still unoccupied. Is that still the case? Okay. So, it's not as if someone will wake up and find a wall --

Hopkins: Yeah. No.

Strader: -- where there wasn't one before.

Hopkins: Mr. President, Council Woman Strader -- Council Woman Strader, they are currently being constructed, but not occupied and, yes, you are correct, they won't be surprised.

Strader: I appreciate that. Thank you.

Hoaglund: Any other questions? All right. Thank you, Stephanie.

Hopkins: Thank you.

Hoaglund: I don't see anybody in the audience. We don't have anybody signed up. Nobody online that is a private citizen to testify. So, Council, what's your pleasure?

Strader: Mr. President?

Hoaglund: Council Woman Strader.

Strader: Happy to kick off the discussion. It seems to me like it's pretty straightforward in this case to make an exception to our typical landscape buffer. I thought that the conditions that staff had placed were reasonable. I'm happy to hear if anyone has a different opinion before we close the public hearing.

Cavener: Mr. President?

Hoaglund: Councilman Cavener.

Cavener: I do have a little bit different view on this and no disrespect, Stephanie. It's nice seeing you. Appreciate you. I don't agree with the argument that visitor housing in a hotel is the same type of use as apartments. These are our residents and I appreciate what you are trying to accomplish. I -- I'm just not supportive of -- I'm not supportive of condition 8-A-1C with the landscape buffer reduction. I think that what we approved is appropriate and does provide ample space and distance, both in terms of activity, as well as noise and vision, as proposed. So, I just have a different view. I think that what was presented what was approved is -- is appropriate.

Overton: Mr. President?

Hoaglund: Councilman Overton.

Overton: Hearing both views when it was first proposed looking at the distances between buildings I had no concerns with this change to the development agreement. I echo the thoughts that Council Member Strader had, but I don't have a problem with this limited landscaping buffer to accomplish their goals. I would be in favor of it.

Hoaglund: And just to chime in, I -- I appreciated Council Woman Perreault pointing out the fact that there is garages there that kind of -- that adds to that -- that buffer. That does make a difference. It's not just open, but there is a -- basically a wall there. So makes sense.

Perreault: Mr. President?

Hoaglund: Council Woman Perreault.

Perreault: I'm just sitting here trying to envision this, because this is a really unique grouping of, you know, structures and uses and -- and with hotels, you know, I think they are -- in my opinion there is -- there is a safety element of just folks coming and going and so I just wanted to make sure that there wasn't -- that there was an open space and there was a suggestion that -- that count -- at Council's pleasure we could recommend a fence, but I actually think that would probably create a safety issue to have a fence and, then, have the garage walls and have this space -- space in between that's empty. I would invite -- with the Council President's permission, our police -- if our police have any concerns about that to share their thoughts. But I have -- I do have a little bit of -- of concern to Councilman Cavener's point of just this -- this is a pretty narrow 15 feet between, you know, a use that could have different safety elements than residential. Any thoughts there?

Hoaglund: Lieutenant Brown, go ahead.

Brown: Council President, Council Members, I don't -- I don't have any comment on this.

Hoaglund: Council, other questions? Comments?

Strader: Mr. President?

Hoaglund: Council Woman Strader.

Strader: No further thoughts, I move that we close the public hearing.

Cavener: Second.

Hoaglund: Have a motion to close the public hearing on Item 2023 -- H-2023-0030. All those in favor signify by saying aye. Any opposed? The public hearing is closed.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Hoaglund: Council Woman Strader.

Strader: Happy to make a motion. After considering all staff, applicant, and public testimony I move to approve File No. H-2023-0030 as presented in the staff report for today's hearing date with the conditions that were listed by staff. Just a little additional commentary. You know, I -- to me it is a pretty limited exception in this case. I'm generally not a fan of changing buffers, but in this case the joint ownership of both adjoining properties to me was a little bit of what swayed me in favor of it.

Overton: Second the motion.

Hoaglund: Motion and second to approve the request by the applicant. Mr. Clerk, could you, please, call roll?

Johnson: Thank you, Mr. President. Strader.

Strader: Aye.

Johnson: Overton.

Overton: Aye.

Johnson: Perreault.

Perreault: Mr. President, is there open for discussion about --

Hoaglund: No, we are in the middle of the roll call, so --

Perreault: But usually there is a call for discussion after a motion is made.

Hoaglund: That's true. I did not do that. So, with the -- with the request --

Strader: The maker -- the maker of the motion would withdraw the motion for now in the interest of discussion always, because I always appreciate hearing what my colleagues have to say.

Hoaglund: Second agrees?

Overton: Second agrees.

Hoaglund: All right. Thank you for the grace of the rookie mistake. So, discussion on the motion. Well, on the upcoming motion now, so --

Perreault: Mr. President, could -- does discussion allow me to ask staff a question that I didn't get to ask after the applicant made their presentation? Thank you. Sonya, I just want to throw a basic question. I just want to understand -- because I haven't seen this wording before. What results -- what are trees that are appropriate to touch within five years of planting and how is that different from what is typically accepted? Because that -- that seems like a condition that would be hard to track I guess. How does the city, you know, decide what is a tree that is five years -- touching in five years?

Allen: Council Woman Perreault, Council, the landscape architect -- they have qualifications when they -- you know, to make those choices and tree choices, class choices, they have different class of trees that grow to different heights and different widths. So, based on their qualifications as a landscape architect they make those decisions and so that's -- that specific requirement is -- is a standard in our code for buffers to adjacent residential land uses. That's where that comes from.

Hoaglund: Council Woman Perreault.

Perreault: Thank you. Clarification question. So, is that -- is -- in our code is that a buffer that's typically 25 feet, ten feet? Residential buffers are ten feet; right? The residents. We are talking about shrinking a commercial buffer. So, is this standard the same as what is in a commercial buffer normally?

Allen: Landscape buffers to residential uses, the widths are based on the dimensional standards of the district in which they were located. So, they vary. For instance, the C-G district requires a minimum 25 foot buffer to residential uses. The L-O district is less.

Perreault: Okay. Thank you.

Hoaglund: Any further comments from Council? Hearing none, Council Woman Strader.

Strader: Mr. President, thank you. I move that we -- did we open the public hearing again? No, we didn't. Okay. I will go ahead and make a motion again. After considering all staff, applicant, and public testimony to approve File No. H-2023-0030 as presented in the staff report for today's hearing date of August 22nd, 2023, with the conditions as outlined by staff.

Overton: Second.

Hoaglund: Have a motion and a second on this item. Is there any further discussion? Hearing none, Mr. Clerk, will you, please, call the roll.

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

Hoaglund: Four ayes. One no. Motion carries and the item is approved.

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

ORDINANCES [Action Item]

- 3. Ordinance No. 23-2029: An ordinance (Bordeaux Estates – H-2022-0062) Annexing a portion of land lying in the south half of the northeast quarter of Section 25, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described in Exhibit “A”; Rezoning 2.00 acres of such real property from RUT (Rural Urban Transition) to R-8 (Medium-Density Residential) zoning district; Directing city staff to alter all applicable use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; Repealing conflicting ordinances; and providing an effective date.**

Hoaglund: Up next we have Ordinance -- Ordinance No. 23-2029. Mr. Clerk, could you read this ordinance by title only?

Johnson: Thank you, Mr. President. It's an ordinance relating to Bordeaux Estates, H-2022-0062, annexing a portion of land lying in the south half of the northeast quarter of Section 25, Township 4 North, Range 1 West, Boise meridian, Ada county, Idaho, more particularly described in Exhibit “A”; rezoning two acres of such real property from RUT to R-8 zoning district; Directing city staff to alter all applicable use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County

Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; Repealing conflicting ordinances; and providing an effective date.

Hoaglund: Is there anyone that would like to be -- would like this ordinance read in whole? Seeing none, Mr. Clerk, please, call the roll.

Johnson: Mr. President, I believe we need a motion.

Hoaglund: Oh, that's right. We need a motion. Forgot about that part.

Perreault: Mr. President?

Hoaglund: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 23-2029.

Strader: Second.

Hoaglund: Have a motion and a second. Mr. Clerk, please, call the roll.

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

Hoaglund: All ayes. Motion carries.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

4. Ordinance 23-2030: An ordinance amending Meridian City Code 11-3D-4, regarding signs; repealing conflicting ordinances; and providing an effective date.

Hoaglund: Mr. Clerk, would you, please, read the title for Ordinance 23-2030.

Johnson: Thank you, Mr. President. This is an ordinance amending Meridian City Code 11-3D-4, regarding signs; repealing conflicting ordinances; and providing an effective date.

Hoaglund: So, this has been read by its title. Any request to read it in whole? Hearing none, do we have a motion?

Perreault: Mr. President?

Hoaglund: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 23-2030.

Cavener: Second.

Hoaglund: Have a motion and a second to approve Ordinance 23-2030. Mr. Clerk, would you, please, call the roll.

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

Hoaglund: All ayes. Motion carries.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

- 5. Ordinance 23-2031: An ordinance repealing and replacing Meridian City Code Section 13-2-6(C), regarding alcohol in City parks; repealing and replacing Meridian City Code section 13-2-6(S), regarding parking in city parks; repealing conflicting ordinances; and providing an effective date.**

Hoaglund: And now Item No. 5, Ordinance 23-2031. Mr. Clerk, could you read this by title.

Johnson: Thank you, Mr. President. It's an ordinance repealing and replacing Meridian City Code Section 13-2-6(C), regarding alcohol in city parks; repealing and replacing Meridian City Code Section 13-2-6(S), regarding parking in city parks; repealing conflicting ordinances; and providing an effective date.

Hoaglund: This ordinance has been read by title only. Is there any request to have it read in whole? Hearing none, any discussion? Mr. Clerk, please, call the roll. I'm sorry. a motion. Here we go. Council Woman Perreault. I'm just trying to -- you know. Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 23-2031.

Strader: Second.

Hoaglund: Have a motion and a second to approve the ordinance. Any discussion? Hearing none, Mr. Clerk, please, call the roll.

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

Hoaglund: All ayes. Motion carries. I'm sorry. Four to one. Motion carries.

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

6. **Ordinance 23-2032: An ordinance amending the title of Title 7, Meridian City Code to “traffic and parking”; amending the title of Title 7, Chapter 1, Meridian City Code to “traffic code”; amending Meridian City Code Section 7-1-2, regarding traffic infractions; repealing Meridian City Code Sections 7-1-3 (regarding repairing vehicles in city streets), 7-1-4 (regarding emergency vehicles; restrictions near fire) and 7-1-5 (regarding school and city property); amending Meridian City Code Section 7-1-6 (speed restrictions); repealing Meridian City Code Section 7-1-7, regarding driving through funeral procession; amending Meridian City Code Section 7-1-8, regarding u-turns; amending Meridian City Code Section 7-1-9, regarding electric power-assisted scooters; amending Meridian City Code Section 7-1-10, regarding center turn lanes; amending Meridian City Code Section 7-1-11, regarding use of public or private property as a throughway; amending Meridian City Code Section 7-1-12, regarding negligent driving; amending Meridian City Code Section 7-1-13, regarding air compression brakes; repealing and replacing Meridian City Code Section 7-2-1, regarding definitions; amending Meridian City Code Section 7-2-2, regarding prohibited parking; amending Meridian City Code Section 7-2-5, regarding parking on public streets other than alleys; amending Meridian City Code Section 7-2-6, regarding parking on public property other than streets and alleys and parking in city parks; amending Meridian City Code Section 7-2-7, regarding parking on city property where parking permit required; repealing conflicting ordinances; and providing an effective date.**

Hoaglund: Item No. 6, Ordinance 23-2032. Mr. Clerk, could you, please, read this ordinance by title.

Johnson: Thank you, Mr. President. This is a longer one here. It's an ordinance amending the Title 7, Meridian City Code to “traffic and parking”; amending the title of Title 7, Chapter 1, Meridian City Code to “traffic code”; amending Meridian City Code Section 7-1-2, regarding traffic infractions; repealing Meridian City Code Sections 7-1-3 regarding repairing vehicles in city streets, 7-1-4 regarding emergency vehicles; restrictions near fire and 7-1-5 regarding school and city property; amending Meridian City Code Section 7-1-6 speed restrictions; repealing Meridian City Code Section 7-1-7, regarding driving through funeral procession; amending Meridian City Code Section 7-1-8, regarding U-turns; amending Meridian City Code Section 7-1-9, regarding electric power-assisted scooters; amending Meridian City Code Section 7-1-10, regarding center turn lanes; amending Meridian City Code Section 7-1-11, regarding use of public or private property as a throughway; amending Meridian City Code Section 7-1-12, regarding negligent driving; amending Meridian City Code Section 7-1-13, regarding air compression brakes; repealing and replacing Meridian City Code Section 7-2-1, regarding definitions; amending Meridian City Code Section 7-2-2, regarding prohibited parking; amending Meridian City Code Section 7-2-5, regarding parking on public streets other than alleys; amending Meridian City Code Section 7-2-6, regarding parking

on public property other than streets and alleys and parking in city parks; amending Meridian City Code Section 7-2-7, regarding parking on city property where parking permit required; repealing conflicting ordinances; and providing an effective date.

Hoaglund: You have heard this ordinance read by title only. Is there any desire to have the whole ordinance read? Hearing none, is there a motion?

Perreault: Council President?

Hoaglund: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 23-2032.

Overton: Second.

Hoaglund: Have a motion and a second to approve. Is there any discussion? If not, Mr. Clerk, would you, please, call the roll.

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

Hoaglund: All ayes. Motion carries.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Hoaglund: Next item is future meeting topics. Any discussion?

Strader: Mr. President?

Hoaglund: Council Woman Strader.

Strader: Yes. Thank you. Just a future meeting topic. I think it would be fantastic if we had each department present the next five years CFP for us this fall and that would I think help us get a little more visibility into the CFP as we have discussed during the budgeting process.

Hoaglund: Okay. Thank you. Anything else?

Cavener: Mr. President?

Hoaglund: Yes, Councilman Cavener.

Cavener: Did a nice job steering the ship for us tonight. Appreciate having you at the helm. Well done.

Hoaglund: A little speedboat action there.

Cavener: Mr. -- Mr. President?

Hoaglund: Councilman Cavener.

Cavener: I would point out that we are done before 7:00 o'clock and the Mayor's not here. So we have I think a good scapegoat for why meetings go long. Mr. President, I move with that we adjourn the meeting.

Hoaglund: Motion to adjourn. All those in favor signify by saying aye. All ayes. Motion carries. We are adjourned.

MEETING ADJOURNED AT 6:47 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

_____ COUNCIL PRESIDENT BRAD HOAGLUND	_____ DATE APPROVED
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ATTEST:

CHRIS JOHNSON - CITY CLERK