

A Meeting of the Meridian City Council was called to order at 6:02 p.m., Tuesday, February 8, 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, Caleb Hood, Steven Siddoway, Alan Tiefenbach, Jeff Brown, 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, February 8th at 6:02 p.m. We will begin this evening's regular City Council meeting with roll call attendance.

**PLEDGE OF ALLEGIANCE**

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

(Pledge of Allegiance recited.)

**COMMUNITY INVOCATION**

Simison: Up next will be our community invocation, which tonight will be delivered by Pastor Vinnie Hanke. If you would all, please, join us in the community invocation or take this as a moment of silence and reflection for the community. Pastor.

Hanke: Thank you, Mr. Mayor, Members of the City Council. Thanks again for the opportunity to come and pray for you as you begin your meeting. Would you pray with me. God, thank you for this evening. We thank you for the City of Meridian, for its citizens, for those who commit their time and energy to service it, God, through public service and our city government and our schools and our medical facilities and our law enforcement agencies and fire protection services. God, we ask that you would put a blessing upon all of them as they conduct their service to us. Would you help us to be a city that practices hospitality and love that is associated with who you are and, God, we ask that you be glorified with what the city would do tonight. Want to ask these things through Jesus Christ, amen. Bless you all. Have a good night. Thank you.

## **ADOPTION OF AGENDA**

Simison: Thank you. Next up is our adoption of the agenda.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: We have one minor housekeeping thing to do. Item 13 we want to move in front of Items 11 and 12 and hear from our Parks Department before we vote on budget amendments. So, we will just do that. So, Mr. Mayor, I move adoption of the agenda as amended.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

## **CONSENT AGENDA [Action Item]**

- 1. Approve Minutes of the January 25, 2022 City Council Work Session**
- 2. Approve Minutes of the January 25, 2022 City Council Regular Meeting**
- 3. Findings of Fact, Conclusions of Law for Aviator Springs (H-2021-0065) by The Land Group, Inc., Located at 3235 N. McDermott Rd.**
- 4. Development Agreement Between the City of Meridian and Ronald Hatch (H-2021-0026) for Property Located at 160 N. Linder Road (Parcel No. R3579000045 & R3579000040; Lots 8 & 9, Heppers Acre Subdivision)**
- 5. Construction Contract for Public Works Construction Between City of Meridian and Cougar Excavation for the Watermain Replacement at Hickory Rd. from Pine to Fairview for the Not-to-Exceed Amount of \$803,286.00**
- 6. License Agreement Between the City of Meridian and Ada County Emergency Services District for Temporary Access and Construction**

Simison: Next up is the Consent Agenda.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

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

Borton: Second.

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

MOTION CARRIED: ALL AYES.

### **ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]**

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

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

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

Johnson: Mr. Mayor, we did not.

### **RESOLUTIONS [Action Item]**

- 7. Resolution No. 22-2309: A Resolution of the Mayor and the City Council of the City of Meridian Appointing John Dinger to Seat 4 and Pam Jagosh to Seat 5 of the Meridian Historic Preservation Commission; and Providing an Effective Date**

Simison: Okay. Then, with that, we will move on to Resolutions this evening. So, Council, after a lengthy process of evaluating a lot of openings in our commissions for various reasons, some coming up that were vacant, some vacancies for a while, some new vacancies that occurred within the last couple days. We have several resolutions to consider to appoint to fill those vacancies, with the exception of one for Planning and Zoning, but we will get -- that's not on for tonight, that will be coming forward in a couple weeks. But we are just going to work our way through these resolutions. I will take them one at a time and talk about the folks, some of whom we have in the audience and which we will afford an opportunity to speak to. I don't see anybody online whose name I'm -- unless they have a different name not covered that we can tell, but if they are we will give them an opportunity to speak. But the first one is for our Historic Preservation Commission. We are real excited for two people that have been brought forward for this -- these positions. It's a real rarity, quite frankly, to have the quality and talent in the -- in the type. First I want to speak about Mr. Dinger. We want to focus on his research. You know, he -- he brings a different well of historic preservation from a side that I don't know there has really been -- happened since Frank Thomason was around -- maybe a little bit

with Lila and, frankly, he may be able to add to the work that they have built upon, the work that they did previously in terms of the research element. Staff can help with historic properties and other things, but it is a different -- different skill set. It's not often you find someone that does that in their spare time, historical research and writing and I was very impressed on that element. Also Pam Jagosh. She comes with experience in historic preservation from a previous community that she lived in over in Idaho Falls where she -- she went through the processes of helping them establish their historic walking tours and a lot of -- you know, has -- has that element of what other communities have done and she can either maybe bring some of that here or maybe do something new with whatever our focus is on from that perspective. So, two very stellar candidates for Historic Preservation in a way that I think is different and unique than what we have seen most recently. So, with that I would nominate those two to the Historic Preservation Commission. Well, they -- they are -- Mr. Dinger is here, but we don't let them speak until after they -- unless you have questions that you would like to quiz them on, but we don't want to scare them away from that standpoint. So, happy to entertain any questions you all have at this time or comments.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Yeah. I -- as we all know I -- I -- I guess this is not the Parks one that I was going to talk about, but Historic Preservation is an important aspect of Meridian, who we are and where we have come from and our roots and -- and I -- I personally know Ms. Jagosh well. She's -- she's highly qualified for this position. I'm extremely excited that she applied and has been given the opportunity to serve this community in this capacity. So, congratulations, Pam. I'm excited to get to know John better.

Simison: With that do I have a motion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: We don't necessarily have liaisons to these commissions anymore and so I hope I'm not stepping on anybody's toes, but I would move that we approve Resolution No. 22-2309, appointing John Dinger and Pam Jagosh to the Historical Preservation Commission.

Bernt: Second.

Simison: I have a motion and a second to approve Resolution No. 22-2309. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the resolution is agreed to.

MOTION CARRIED: ALL AYES.

Simison: John, would you like to come forward and say any comments?

Dinger: Mr. Mayor, Council, I just want to thank you for this opportunity. I really appreciate being appointed to this. I do love history. I love Idaho and western history. As I read a lot of western history one of the places that really doesn't have a lot written is Idaho and when I look at Idaho history one of the places that doesn't have a lot of writing is Meridian and so I'm really excited to just jump in here and learn everything I can. Hopefully, as I was kindly described to have skill sets, hopefully that's true and hopefully I can apply that to Meridian and just help -- help that body of history grow. So, thank you.

**8. Resolution No. 22-2310: A Resolution of the Mayor and the City Council of the City of Meridian Appointing Brandon Simpson to Seat 4 and Mike Medellin to Seat 5 of the Meridian Parks and Recreation Commission; and Providing an Effective Date**

Simison: Thanks, John. Council, next item up is Resolution No. 22-2310, which is our appointments to the Parks and Rec Commission for Brandon Simpson and Mike Medellin and you are going to have to excuse me moving forward. My notes from the rest of the applicants was unintentionally destroyed, so I don't have as much of my -- it's all from memory at this point in time and when you interview a lot of people hopefully you get it all right. But what I -- what I can tell you about the two individuals here is Brandon brings a unique skill set to the position. He really looks at it from the recreational side of sports, but also the business side of sports. He is someone who has been -- who is active in softball leagues and, you know, has spent time down and -- say at the Sparks, Nevada, location where they -- they have really looked at how -- how you can bring economic development to your community through recreational programs and the value that that can bring to your -- to your community. It also has young kids. The range -- you know, eight months up to nine. So, looking at the recreational programs from the youth aspect and that's something that's been missing from some -- you know, as our commission people have aged up that was one of the conversations with the chair and having that -- someone with that younger youth perspective would be really good for them. Then on the other end is Mike Medellin and, really, the best way to describe him is a lifelong parks user, but an avid pickle baller and I don't want that -- I don't want that to dissuade some members of the Council from that standpoint, but it -- it -- it does -- it does -- a sport that is growing vastly in our area having some of that knowledge is hugely important on the commission. He's grown up in the parks, utilized and done all the events that we have offered as his kids have grown. His kids are now aging out of the home and looking for a way for himself to give back to the community. So, I think that they really both bring important skill sets that are -- will help the Parks and Rec Commission look at the services and programs that we provide and I don't see either of them online or in the audience, but we will still be happy to answer any questions you have about these two.

Cavener: Okay. Then Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I don't know if Mr. Bernt has any other comments he would want to make about Parks. I move that we approve Resolution No. 22-2310 appointing Brandon Simpson and Mike Medellin to the Meridian Parks Commission.

Bernt: Second.

Simison: I have a motion and a second to approve Resolution No. 22-2310. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the resolution is agreed to.

MOTION CARRIED: ALL AYES.

**9. Resolution No. 22-2311: A Resolution of the Mayor and the City Council of the City of Meridian Appointing Mandi Stoddard to Seat 1 of the Meridian Planning and Zoning Commission; and Providing an Effective Date**

Simison: Item 9 on our agenda is Resolution No. 22-2311 appointing Mandi Stoddard to the Meridian Planning and Zoning Commission. I had a lot of interest in Planning and Zoning Commission as -- as you can imagine and I will kind of focus a little -- go a little bit deeper into the next appointment as well just for some context, but we -- we had Rhonda, who was in the south part of our community, in our area of city impact and she decided not to consider -- continue going. We did not get anybody from the community from our area of city impact. You know, it's not required. It has been a practice that we have had for years through that process. But one of the important parts about -- to me when we look at Planning and Zoning is having a good geographical distribution, as best we can, of -- of people, as well as finding the right person, and the right temperament that's going to fit in and I -- I want to point out I did include all of the chairs of the commissions in these interviews and these -- these were joint discussions, joint recommendations for these positions and so Mandi rose to the top in both helping distribute some of the geographic area. She lives more along -- near Eagle Road, kind of that Ustick to Fairview area, which is where a lot of the other applicants -- we are really grouped around places where we already had other commissioners at that point in time, even though they provided a very unique skill set, this -- this provided a little bit of a place where we don't have someone currently and, then, her background. She has a wide variety of background from -- in the real estate industry, in the construction land development industry, but now she's in the business side of the world, not related to those industries and so she has a real level head. That was, you know, one of the things where Andy really talked about, you know, having someone that can really engage and hear both sides of the issue and, really, that would mesh well with the rest of the Commission. The other person that you will be hearing about in -- in the future -- Mr. Cassinelli had said that if we found somebody else he would be willing to step down from the Commission, which we did receive a resignation from him effective here in two weeks. So, there will be another person that we will be bringing forward from down in the Paramount region, a little further south from where Bill lives, again, to try to keep some of that geographic representation on the Commission. But just want to give you a full picture as we look at

the appointment consideration here in front of you at this time. But I think that this will help provide continued balance to the Planning and Zoning Commission from a resident who has been very appreciative of our community services since she's been here in Meridian and wants to give back to the community and be happy to answer any questions.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: You touched on how vital and how important our Planning and Zoning Commission is and I think all of our commissions have done a really great job, but I think our Planning and Zoning Commission has really been working diligently to try and represent our city and provide good recommendations to us. So, I'm excited about this nomination. So, if there is no other comments, I would move that we approve Resolution No. 22-2311 appointing Mandi Stoddard to the Planning and Zoning Commission.

Bernt: Second.

Simison: I have a motion and a second to approve Resolution No. 22-2311. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the motion is agreed to.

MOTION CARRIED: ALL AYES.

Simison: Ms. Stoddard, would you like to come forward and make any comments?

Stoddard: I will keep it simple. I just want to say thank you for the opportunity. I really appreciate it.

Simison: And get used to hearing that a lot, so --

Stoddard: Okay. Thank you for the opportunity. I really look forward to serving my community and I appreciate it a lot. Thank you.

**10. Resolution No. 22-2312: A Resolution of the Mayor and the City Council of the City of Meridian Appointing Stephanie Hansen to Seat 4 and Melissa Carico to Seat 7 of the Meridian Impact Fee Advisory Committee; and Providing an Effective Date**

Simison: Thanks, Mandi. The final item for you is Resolution No. 22-2310 for our Impact Fee Advisory Committee. Here we have two individuals and this was really -- impact fee traditionally has people that kind of are assigned to different parts of our city, parts of our departments that they are there to help be involved in and understand, to provide feedback through that impact fee process and so the first one -- individual Stephanie Hansen, she -- she applied for the Parks and Rec Commission, but, you know -- and -- and per the conversations with her we felt she would be a really good fit onto this,

because, A, she has a love and interest in parks, but she also -- she's an attorney and I think that having that legal perspective -- not to say that the -- our Legal Department doesn't provide good -- good guidance, but the analytical mindset -- and that's -- I'm analytical, so I think that having a couple people with good analytical mind sets on impact fee makes a whole lot of sense and -- and, Stephanie, she just wants to -- she wants to get involved and she wanted to serve and she was happy to step into this role and I -- and -- and, quite frankly, work with, you know, Steve in the Parks and be there to help make sure that they are fairly represented on the commission. She may actually get involved a little bit in the Parks and Rec Commission so that she understands a little bit about what's relevant and what's moving forward. I believe that would be between Steve and her and -- and Todd from that standpoint and help her serve in that area. And -- and, then, Melissa, I -- you know, I have -- I met Melissa years ago in various ways and our paths have continued to cross throughout life. I know she sometimes plays -- has played a pickleball match or two against a few people as well, so her -- the paths are crossing, but -- but she definitely has a lot of those same analytical skill sets. She's a longtime Meridian resident, understands the value of the services that we receive, the need of this -- to continue to provide those services and the costs to provide those services and -- and I can just speak to her as a person and her willingness and ability and -- sometimes that's what happens when your house becomes a little bit more of an empty nest, you look for ways to give back to the community and I can say that's what we are seeing with Melissa. So, happy to move forward these two for your consideration at this time.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I sometimes wish that all of our citizens could attend an impact fee committee meeting. I think it's very eye-opening and I -- I appreciate Council Member Bernt being a past member of that and the impact that he's brought to that impact committee and I have no doubt that Stephanie and Melissa are going to do a great job and so with that, Mr. Mayor, I move that we approve Resolution No. 22-2312 appointing Stephanie Hansen and Melissa Carico to the Meridian Impact Fee Advisory Committee.

Bernt: Second.

Simison: I have a motion and a second to approve Resolution No. 22-2312. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the resolution is agreed to.

MOTION CARRIED: ALL AYES.

Simison: Melissa, would you like to come forward -- and I failed to mention, the Fire Department is where Melissa's -- kind of filling in for that Fire Department connection on the impact fee committee.



Carico: Thanks, Mayor, Council. I want to tell you I'm really excited to be a part of the Impact Fee Committee and I thank you guys for the opportunity.

Simison: Thanks, Melissa. Thanks for being here. And you -- you both are welcome to stay if you would like to for the evening or not. So, it's your -- your call. Don't feel obligated as the case maybe. I hear we might be here a while, so I don't know. All right. Thank you, Council.

## **DEPARTMENT / COMMISSION REPORTS [Action Item]**

### **13. Parks and Recreation Department: Cooperative Agreement Between WARD and the City of Meridian for Financial Contribution to Support Licensed Recreational Activities; License and Maintenance Agreement Between WARD and the City of Meridian for Maintenance and Operation of Meridian Community Pool and Park at Settlers Village Subdivision; and First Amendment to License and Management Agreement Between WARD and the City of Meridian for Maintenance and Operation of Lakeview Golf Course**

Simison: With that we will move on to Item now 11 -- was 13 on the agenda. The Parks and Recreation Department cooperative agreement between WARD and the City of Meridian for financial contribution to support licensed recreational activities and I will turn this over to Mr. Siddoway.

Siddoway: Thank you, Mr. Mayor, Members of the Council. We are coming before you tonight to propose a series of agreements that would have us take over the operations of the Meridian pool from Western Ada Recreation District and, eventually, the -- the ownership. WARD approached us -- well, it's been out there I think -- from one of the Mayor's state of the city addresses a while ago, but formerly WARD approached us that last fall to start talking about -- in a little more earnestly the idea of taking over operations of the pool this last fall. Since that -- over these last several months we have been working with WARD, with Finance, a lot with HR on the staffing side, with Legal on the agreements and the Mayor's office to get to where we are tonight. I want to publicly mention some kudos to Garrett White, who has done probably the majority of the heavy lifting to get us to where we are. I don't know if you know this, but he comes to us from his -- he's been with us for quite a while, but his previous job actually included working with the pool. So, he has some experience that is definitely going to benefit us. I would like to kind of -- I would like to turn this over to him. Garrett will provide a summary of each of the agreements and review the proposal that we have with Council. He could also answer any questions there may be about the inspection process and bid process that's underway. So, with that I will turn it over to Garrett.

White: All right. Thank you, Steve. Mr. Mayor, Members of the Council, in front of you guys, like Steve said, is -- are three different agreements. We have been talking with WARD over the past several months just in discussions on what this really means, of us both operating the pool and maintaining it. The first agreement you are going to see is

the cooperative agreement for financial contribution from WARD in the amount of 1,263,555 dollars. In addition to that WARD's contribution -- the city would be collecting all the revenues from the pool, which are estimated about 264,000 dollars based on previous seasons. The second one is a license and maintenance agreement that actually allows us to operate and maintain the pool and the small park off of Tammy Street, which they call Settlers Park or the -- the small park off of Tammy Street. The third agreement -- the third agreement is really just an amendment to the license and maintenance agreement with Lakeview Golf Course and, really, what that does is just extending the termination date to match all three of these agreements. So, with that I will stand for questions.

Simison: Thank you, Garrett. Council, questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Garrett, I just want to make sure I -- I heard you right on the budget amendment amounts. I think the amount you said was different than I think the number and I just didn't know if -- if I misheard you or if we swapped some numbers. The number that I have got before me is one point -- 1,528,160.

White: So -- yes. I'm sorry. Mr. Mayor and Councilman Cavener, so the total from WARD will be the two -- 1,263,555. Plus the revenues of 264,605, for the total of 1.5 and some change.

Cavener: Did the math.

White: Yeah. Good question. Thanks for asking.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Garrett, is it -- one of these agreements identify the ultimate transfer of ownership of the asset at the end of the term?

White: I believe so. At that one it would be the licensing agreement when it ends. The actual ownership agreement will come separately and I think Bill can probably answer that question better than I can, but I believe it's a separate agreement at the end of the use for the ownership.

Nary: Mr. Mayor, Members of the Council, yeah, Garrett's correct. I think the anticipation is that would be the next stage of transfer would be a separate agreement then. Right now this is really just maintenance and operations and the transfer of funding.

Borton: So, did the -- Mr. Mayor?

Simison: Councilman Borton.

Borton: That commitment of WARD to do that at that future time we don't need to lock in now?

Garrett: That -- to my understanding, yes, that's what WARD wants to do. They want to be done at the end of this agreement and transfer the ownership of the pool and the small park.

Borton: Okay.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just a quick follow up on that point. I recall there was some flexibility in terms of the actual termination of the asset as they are collecting tax revenue and potentially sharing it. Do you have any clarity on the date that the asset will actually be transferred or are we intentionally keeping that open?

Garrett: Mr. Mayor, Council Woman Strader -- Council Woman Strader, that I believe is -- they are supposed to end on September 30th of 2024 and the intention I believe is to have the ownership at the same time at the end of that. That is the intent.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. I mean I think that speaks to the ultimate intent of this agreement, which is ultimately to save taxpayers money by dissolving a taxing entity that is redundant. Appreciate that.

Simison: Council, any additional questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: No other questions, I move that -- oh.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglun: I just wanted to make sure, Bill, on -- on that -- that first amendment, the license and management agreement, in -- in that section in the whereas it talks about the term agreement set to end on September 30th, 2023, and, then, in -- in -- under Section 1-B, term of agreement, it ends on September 30th, 2024, unless the parties mutually agree and I -- I would assume the lower body is part of it, not the whereas. Is -- is there some -- one being 2023, one being 2024, I wasn't sure what the issue was there. I just happened to catch that this time reading through it.

Nary: So, Mr. Mayor, Members of the Council, certainly the -- the clause within the contract is what is controlling, not the whereas clause and I guess I'm not seeing that whereas, so -- within the maintenance one, is that what you said?

Hoaglun: Yeah. This is on the maintenance and operation, license --

Nary: Oh. Okay. Yeah. And we can correct that, so --

Hoaglun: Okay.

Simison: Councilman Cavener.

Cavener: I move that we approve Item 13, a cooperative agreement between the Western Ada Recreation District and the City of Meridian for financial contribution to support licensed recreational activities in the City of Meridian related to the maintenance and operation of Meridian Community Pool and the Tammy Park, also known as Settlers Village Park in the City of Meridian.

Strader: Second.

Simison: I have a motion and a second. Do I have any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the item is agreed to.

MOTION CARRIED: ALL AYES.

Garrett: Thank you.

**11. Parks and Recreation Department: Fiscal Year 2022 Net-Zero Budget Amendment in the Amount of \$1,528,160.00 to Add Western Ada Recreation District (WARD) Funds for the Meridian Pool and Lakeview Golf Course**

Simison: Thanks, Garrett. So, the next item up is the Parks and Recreation Department fiscal year 2022 net zero budget amendment in the amount of 1,528,160 dollars. Mr. Siddoway.

Siddoway: I just went over the -- the numbers, but just to clarify for the record, we are requesting spending authority on a total of the 1,528,160 -- 1,528,160 dollars for this net

zero budget amendment. That's the amount that will be contributed from WARD. The breakdown of that is just over the 1.2 million coming from them directly and the rest -- the remainder of 264,000 -- that balance comes from foregone revenues from the pool that they will allow us to retain as we bring them in. We have worked out -- we have worked with Finance to propose a division -- an initial division between pool and golf, but would ask that we would be able to work with Finance to shift funds accordingly if more or less is needed for one or the other and with that I will stand for any questions.

Simison: Thank you. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you, Steve. So, this is for fiscal year 2022. Does that mean they have, essentially, until the end of September to actually transfer those funds or how will the timing of that work in relationship to the cost the city will incur for capital projects and maintenance?

Siddoway: Yeah. Good question. It's actually spelled out in the agreement that you just approved. There is two separate payments that they have to make and that's based on their collection of -- of tax receipts. So, I don't remember the dates off the top of my head, but there are two dates stipulated when they will make their payments.

Simison: Council, any additional questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I move that we approve the fiscal year '22 net zero budget amendment for the amount of 1,528,160 dollars -- it says to the Western Ada Recreation District, but I think it's from the Western Ada Recreation District for the Meridian pool and Lakeview Golf Course.

Hoaglund: Second the motion.

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 item is agreed to.

MOTION CARRIED: ALL AYES.

**12. Parks and Recreation Department: Fiscal Year 2022 Net-Zero Budget Amendment in the Amount of \$89,818.00 for Transfer of Seasonal Groundskeeper Wages to Two Park Maintenance Full-Time Employees (FTE)**

Simison: Next item up is the Parks and Recreation Department fiscal year '22 -- 2022 net zero budget amendment in the amount of 89,918 dollars and turn this over to Mr. Siddoway.

Siddoway: Thank you, Mr. Mayor, Members of the Council. This one is really just a shift within our existing budget. We have been experiencing staffing shortages on our seasonal labor side. For the last couple years we have been unable to hire the number of seasonal positions that we need to successfully maintain our -- our system. Staff have been stepping up and working overtime and taking on extra duties, but, you know, that can only be for so long. It also affects our customer service and causes deferred maintenance projects that have to be pushed out. We do think that we would be more successful at attracting full-time labor and we have worked out with Finance a net zero budget amendment where all the funds needed to cover those two positions would come from our seasonal staff budget. So, we are just proposing a shifting of funds, which amounts to about 18 percent of our current seasonal labor budget to hire two full-time staff as maintenance techs to give us the coverage that we need. That's in the amount of 89,818 dollars and with that I will stand for any questions.

Simison: Thank you. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I don't have a question. I just want to say how excited I am about this. As the Parks liaison last year Steve and I had a lot of conversations about how challenging it was to retain -- to hire and retain seasonal employees. So, I am excited about the consistency this will bring to the department and happy to see this on the agenda.

Siddoway: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I have to agree with Council Member Perreault. I think as our park system continues to grow, having permanent, consistent maintenance staff is -- is the right decision. So, I appreciate your forward thinking on this, Steve, and I'm happy to make the motion that the Council approves the Parks and Rec Department fiscal year 2022 net zero budget amendment in the amount of 89,818 dollars for the transfer -- transfer of seasonal groundskeepers to two full-time parks maintenance employees.

Perreault: Mr. Mayor, I second that motion.

Simison: I have a motion and a second to approve the net zero budget amendment. 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.

Siddoway: Thank you.

## **ACTION ITEMS**

**14. Public Hearing for Meridian U-Haul Moving and Storage (H-2021-0101) by Gurnoor Kaur of Amerco Real Estate Company, Located on Parcel R8257510015 and at 1230 and 1270 E. Overland Rd., Near the Northwest Corner of E. Overland Rd. and S. Locust Grove Rd.**

- A. Request: Development Agreement Modification to allow self-storage, ancillary retail, and warehousing and vehicle and equipment with outdoor display.

Simison: Thanks, Steve. And thank you to our public this evening for allowing us to get through the items that we normally wouldn't do on our 6:00 o'clock, but had to shift this evening and they were timely. So, with that we will move on to public hearing items this evening. First item up is a public hearing for Meridian U-Haul Storage -- Moving and Storage. We will open this public hearing, H-2021-0101, with staff comments.

Tiefenbach: Greetings, Mr. Mayor, Members of the Council. Alan Tiefenbach, associate planner with the City of Meridian. Good evening. Okay. This is a development agreement modification. The property consists of 6.86 acres of land. It's zoned C-G. It's located at the northwest corner of East Overland and South Locust Grove. It's right behind -- pretty close to behind the -- the gym -- the climbing gym if you know where that is. Just -- just a quick history to kind of tell you where we -- how we got here. Okay. So, this is a -- this is a proposal for a development agreement modification to allow self storage rental and outdoor display of vehicles and equipment and accessory retail for a U-Haul business. There is a conditional use that is being processed concurrently with this coming in front of you next Thursday. It was supposed to come in front of you last Thursday, but they didn't post the sign correctly and they were able to do it for this, but not for that. So, it had to be continued. The property consists of three lots. Just a little less than seven acres. It was annexed into the city in 1999 as what was called the Overland Storage Annexation. The development agreement for that allows only -- so, it's very specific and it only allows the construction, development, and use of a self-storage facility. It even

says it shall be eight buildings of various sizes. The conditional use was approved for this following that annexation, but for whatever reason the self-storage facility was never built. So, this property was annexed, zoned, and there was a development agreement written specifically for the reason of self storage. Since that time just -- recently staff and the applicant have had numerous discussions regarding the location of a new facility. We have looked at lots of different places and due to the location, the surrounding uses, the zoning and that this was already annexed for the purpose of a self storage, this particular location was selected. However, in addition to the self storage, as typical for a U-Haul facility, they also intend to display some of their trucks and equipment rental and have the little store where you can buy the moving items. Unfortunately, because the development agreement is so specific they actually can't do that, so -- so, the -- the point of this DA mod is to remove that specific language and to let the site plan and the elevations that they are bringing to the Planning Commission Thursday govern the site. But as far as uses go, it would just fall back to C-G, which is what it is zoned now. So, again, the -- the C-G allows vehicle sales, rental and service as a permitted use. The equipment -- as well as the equipment rental sales and service, but, then, self storages are allowed by conditional use and warehousing and outdoor storage is an accessory. So, all of this working together, basically, they can do what they want under a conditional use. And just in case you are interested, here is the site plan of what they want to do. I believe that there are six buildings -- one, two, three, four, five, six. These are -- staff has spent quite a bit of time working with the applicant on the elevations and the perspectives. Certainly we have some recommendations for conditions of approval to the Planning Commission next Thursday, like we don't like the exposed stairs. So, we are going to ask them to come up with a better way to screen that and some work on the doors and that. Most of that can happen administratively, but with that this is a relatively simple case in front of you tonight, Council, and I could stand for any questions or comments.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Alan, the bottom of page two in the staff report it -- that the proposed section that would be modified, am I understanding correctly that it says the construction development use and maintenance of a mini-storage facility consisting of at least eight buildings of various sizes and you had mentioned that there were six buildings.

Tiefenbach: So, the -- the -- I could be wrong. It could be eight. The -- the applicant proposed that language. So, they struck some language and added the language that they were proposing and staff was recommending all that language just be taken out altogether, that it would just fall back to the C-G zone district and would just refer to the site plan and the elevations. So, that language would be completely gone. It is a little confusing, so I apologize if I wasn't clear about that with you, Council Person.

Perreault: Mr. Mayor, one follow up.



Simison: Council Woman Perreault.

Perreault: Thank you. So, the way this reads if -- I don't know how exactly it will be changed if it's going to be modified from what's in the staff report, but is it saying that the -- included in those eight buildings is the self-service storage, the showroom, or are those in addition to the -- the storage -- mini-storage facility?

Tiefenbach: So, the self storage facility would be the primary use and the outdoor storage around all the retail and all that equipment will all be an accessory use to that self storage, but -- but, again, we are recommending that that entire language just be stricken. There wouldn't even be any mention at all what the use is, it would just be C-G and it would -- and it would be the typical generally will conform to the site plan and elevations approved on this date.

Simison: Council, any additional questions for staff? Okay. Is the applicant online? Did I see their name?

Johnson: Mr. Mayor, he is online.

Simison: Okay. If the applicant would like to unmute themselves, if they are not, and be recognized for 15 minutes for any comments.

Kaur: Hello. This is Gurnoor. I am representing Americorps Real Estate based in Phoenix, Arizona. And Americorps is a wholly owned real estate subsidiary of the U-Haul system.

Simison: If you can state your name and address for the record, please.

Kaur: Sure. My name is Gurnoor Kaur. The address is 2727 North Central Avenue, Suite 500, Phoenix, Arizona.

Simison: Thank you. Do you have any comments you would like to add to what staff already stated?

Kaur: Not really, but I can --

Simison: It's not necessary.

Kaur: Alan did a really great job explaining everything for us and I can answer any questions that anyone has and I can definitely add one more thing. As far as U-Haul is concerned, we have done such projects over 2,000 different locations in the United States and Canada and I can vouch for this one thing that U-Haul never leaves a location, it always stays functional. We might do some upgrades. We might introduce more services, but we never leave a location. It's always functional. So, you will never have a site just sitting in your city and not being used. But I am here if you have any questions regarding the site plan that you are looking at or anything else that I could help you with.

Simison: Okay. Thank you. Council, any questions for the applicant? Seeing no questions, thank you very much. Mr. Clerk, do we have anyone signed up to provide testimony?

Johnson: Mr. Mayor, there was no one that signed up online or here.

Simison: Okay. Is there anybody in the audience that would like to come forward and provide testimony on this item at this time or anybody online who would like to provide testimony you can use the raise your hand feature at the bottom of Zoom. Seeing nobody in either location, would the applicant like to make any final comments?

Kaur: No. Thank you.

Simison: Okay. Then with that, Council, I will turn it over to you.

Borton: Mr. Mayor?

Simison: Councilman Hoaglund.

Borton: Question for Alan. At the start of your presentation I see this -- this application disconnected from the CUP. Why would we act on it until they are together? It just seems like you would have both of those addressed together and proceeding today doesn't really advance it, because it's still contingent on that. So, push -- push them together and have the DA available if necessary.

Tiefenbach: Mr. Borton, Mr. Mayor and Members of the Council, they are sort of two separate things. One is contingent upon the other. So, if this wasn't approved the project would be dead and if the conditional use wasn't approved it would still be dead, but they are two separate things. I'm not sure if I answered your question or not. We -- the -- the -- this -- this doesn't -- this does not have to go to the Council -- or to the Commission, the development agreement mod, and the -- the conditional use actually stops with the Planning Commission. It was hopefully going to be the other way until they didn't post the site right. So -- so, they are -- so, they are both one person -- one -- one person -- they are both one body hearings, it's just this one ended up being before because of the posting issue.

Borton: Okay. Thanks.

Tiefenbach: If -- if you don't approve this, the conditional use is dead and if they don't approve the conditional use, then, it's dead anyway.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, Councilman Borton, maybe -- I don't know why it was ever the other way around. It never should have been in front of the Planning and Zoning Commission for the CU, because they can't approve a CU if the use isn't allowed. So, the use has to be allowed by the development agreement before they consider a conditional use. So, actually, the error of -- of not posting it properly works better in the applicant's favor, because they actually would have had to hold it at P and Z anyway, because they wouldn't know if this Council would approve the development agreement. So, it has to be in this order for it to make sense logically in code.

Tiefenbach: What he said.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Unless there are anymore questions, I move that we close the public hearing.

Bernt: 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: I'm happy to make a motion. For me I think I'm comfortable approving it given that it references directly to site plans and elevations. So, after considering all staff, applicant, and public testimony I move to approve File No. H-2021-0101 as presented in the staff report for today's hearing date.

Bernt: Second.

Simison: I have a motion and a second to approve Item H-2021-0101. 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.

**15. Public Hearing for Rackham East Council Review (CR-2022-0001) by Brighton Development, Inc., Located on the south side of I-84, ¼ mile east of S. Eagle Rd.**

- A. Request: City Council Review of the Director's decision pertaining to the Alternative Compliance request to UDC 11-4-3-27B.3 to reduce the private usable open space required for each unit.

**16. Public Hearing for Rackham East/Eagle View Apartments (H-2021-0075) by Brighton Development, Inc., Located on the south side of I-84, ¼ mile east of S. Eagle Rd.**

- A. Request: Annexation of 25.76 acres of land with a C-G zoning district.

Simison: Thanks, Alan. Next item up for this evening is public hearings for Rackham East Council Review, HCR-2022-0001 and Rackham East Eagle View Apartments, H-2021-0075. We will open both these public hearings together and I will turn this over to Mr. Hood for staff comments.

Bernt: Mr. Mayor?

Simison: Mr. Bernt.

Bernt: So, normally I recuse myself with -- with Brighton projects. However, I don't do any of their multi-family work, so I will be -- I don't have a conflict this evening.

Simison: Thank you.

Hood: Mayor, Members of the Council, Caleb Hood, Meridian planning division. I am pinch hitting this evening for Sonya. She presented this application at the Planning and Zoning Commission and so I will forward on their recommendation to you this evening for the Rackham East Eagle View Apartments. The applications before you are an annexation and preliminary plat, a CUP and a City Council review. So, a little bit more on those applications. The annexation includes 25.76 acres of land. The preliminary plat consists of two multi-family residential building lots and six commercial building lots on 29.7 acres and the CUP is for multi-family residential development consisting of 396 units on 15.94 acres. The City Council review application is to -- is in regard to the private usable open space associated with the multi-family residential development and I will get into all of those a little bit more here as I get into the presentation a little bit more. The property is located just south of I-84 as you can see on the screen and about a quarter mile east of Eagle, north of Overland off of Rolling Hill Drive. There is a small portion of the property that is already annexed and zoned in the city with C-G zoning. It's right here and the majority of the site is currently R-1 in Ada county, proposed to C-G, although staff is recommending an R-4 zone, which more closely represents the proposed land use for a majority of this, which is multi-family. Access is currently provided to the site off of

Rolling Hill Drive and we will speak a little bit more of -- about Rolling Hill Drive here in a minute, but that does provide current access to the site. There is also access provided through the new project to the east, again, which a portion of this is being -- part of the subject site plan for this application. So, access, actually, can be provided from the west as well into the site. Here is a copy of the annexation boundary. So, again, this isn't the entire site, there is some -- just to the west that's already annexed and zoned. Here is the preliminary plat. Not a whole lot to look at here. Here is largely the multi-family areas. That annexation boundary, then, would come here and, again, here is the existing part that's already in the city and, then, here is your commercial lots along the I-84 frontage. Landscape plan -- well, I think we will look a little bit more at the detailed landscape plan with the multi-family project. There is not a whole lot of landscaping to look at here with the preliminary plat. I'm going to move along. Here is the overall site. So, again, the multi-family lots are here. The extension of the access in from Silverstone into the subject property. There is a 14 foot wide sliver that I will also point out. It doesn't show up very well on that exhibit. Along the eastern boundary of the -- of the property. I'm under the understanding that the applicant is in the process of purchasing that, but hasn't closed on the property as of yet and so one of the things to point out to you is that the Commission did recommend a new condition requiring an ingress-egress easement be provided to that property if it's not obtained by the developer for access, so that it doesn't become landlocked in the case they aren't able to acquire it. Go back to this one. As I mentioned, access to the site today is off of South Rolling Hill Drive. It's an existing rural local street that serves the residential properties to the south. So, rural residential properties, again, in the county. Then there is two driveways from -- again from the west from Silverstone Way. Rolling Hill Drive is not improved to urban street standards. So, it -- it is I think about 24 feet wide of pavement. It doesn't have any street lights. Doesn't have curb, gutter and sidewalk. And for that reason and some others the applicant is proposing access to the site from the -- the city properties to the west, with emergency access only to Rolling Hill Drive. There has been some back and forth and I do have a -- an updated memo from ACHD with some new traffic analysis that was done. The staff report that ACHD provided the city did have a couple of options for the applicant that would make Rolling Hill there an opportunity, If Rolling Hill is improved to -- to some of ACHD standards to use that as access. It's my understanding -- and I will let the applicant speak a little bit more to that, but they are proposing to just leave that as a bollard emergency access only to their southern boundary and not make any additional improvements at this time, but provide bollards so access, again, to the site would not come in from the south. The Ridenbaugh Canal traverses the -- generally to the east side of this property. The Council is requesting a waiver to allow the canal to remain open and not be piped that is pretty typical. The Ridenbaugh, as you know, is a large facility. I can't think of a time we have ever required it to be covered, but they are proposing a six foot tall open vision wrought iron fence along the canal to preserve public safety there. I will just note here and I will remind you if you forget, but in any motion to approve this project, if you could explicitly state that you are -- that you are granting them a waiver from the requirement to cover the Ridenbaugh that's appreciated. The multi-family development that you see on the screen includes, again, 396 units. There is a mix of studio one and two bedroom units. The gross density of the development is 24.8 units per acre, which is consistent with the desired MUR, mixed use regional designation on -- on the future land use map

comprehensive plan. So, here is the site and landscape plan. I mentioned earlier -- I'm going to kind of go back and forth between the open space exhibit, which is on the site plan now, and the amenity and open space exhibit that I flashed for a second. The applicant has requested alternative compliance to the private usable open space standard, which has more to do with the individual units than common open space. Staff did approve a reduction to our standard of 80 square feet per unit, a 20 percent reduction, but the applicant is proposing zero for the studio units, zero percent; 54 to 60 square feet for the one bedroom units and 58 to 85 square feet for the two bedroom units. Again, their justification that was provided to staff was because they have extraordinary common open space and amenities in the pools and the clubhouses and the green spaces and some of the ancillary amenities that are within them. The private usable open space, such as patios and balconies, decks, those types of things, that -- that was the request they were asking for and we didn't believe that that met the intent of the code, so we did not approve that. But that is for you --

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Hey, Caleb, what is -- I don't -- I don't mean to interrupt. So -- so, basically -- just a question. Clarification. So, the -- the only difference between -- the difference between common open space and what they are requesting a waiver on is just like patios --

Hood: Right.

Bernt: -- with the individual units themselves.

Hood: So, Mayor, Councilman, yes. So, there are two -- two different requirements. One is for common open space for the project that, again, is common and shared and anybody can use it practically at anytime and, then, we have a separate, based on -- for each -- for each individual unit their own private area that they can keep their bike, have a cigarette, whatever they are going to do in their own little private space and that is what the applicant is -- has requested the relief from -- to provide for the studios, none of that. So, anything -- once you walk out your door you don't have anything. It's common or private or something else and, then, for the one and the two beds they are proposing some for those. So, again, kind of a sliding scale that I read to you there. But, again, studios no private outdoor. So, indoor, right, you are renting your unit, so anything inside the walls would, obviously, be private, but nothing out of doors that would be -- that you could call your own outside. I will just note, you know, this is something we have back on our -- the UDC focus group to discuss some more as a topic. It's not the first request that we have had this way, so it is something to bring back up and -- and just reevaluate and see if this is the right code for the city. But right now that is what we have on the books and, again, their justification for not providing was -- was that this is the, again, common open space and amenities is good enough, that not -- not -- that it's not needed for -- for some of them that are at that square footage. So, I hope that answered the question.

Strader: Mr. Mayor? Sorry.

Simison: Council Woman Strader.

Strader: I apologize, but maybe because we are on that point and I'm not clear, maybe better to just stop now. So, my understanding, Caleb, of our open space -- qualified open space calculation is that it's driven off of -- not only the building footprint, but also the unit count. What I think I just heard you describe was individual open space attached to each unit, but I just want to make sure that I'm not misinterpreting something. I always thought that our qualified open space calculation was driven off of not only the square footage of the building, but also the unit count and unit size.

Hood: Mr. Mayor, Council Woman Strader, yeah. So, again, two separate things. You -- you have that correct, it is the acreage and number of units for common usable qualified open space. That's not what they are asking for relief from. It is the individual -- again, think a balcony or a patio or something that's fenced that I walk out of my slider out of my back door and I have a little something that I can stand in that no one else can because it's mine and attached to my unit versus the -- what you just described, which is the common tot lots and playgrounds and swimming pools and those types of things. So, two separate things. But -- and, again, I will let them make -- make their pitch to you more, but they are saying our common amenities are so nice we don't need to provide to the level the city requires, those private areas for them, because there is enough of the -- or high quality and enough of the other types of open space.

Strader: Perfect. Thank you.

Simison: Council, anymore questions on this? Okay.

Hood: A couple more things I think in my presentation. So, off-street parking was also something that was talked about in -- in the staff report and at the Planning and Zoning Commission. The UDC does require a minimum of 660 standard parking spaces. Of that 348 should be covered and 14 spaces for the clubhouse, so they are providing 651, which is nine spaces below the minimum. We did work with the applicant and they are proposing some parking along the drive aisle here, so that was something that the Commission talked about. There is a condition in the staff report talking about meeting the UDC standards for parking. I believe they have complied with that, but that is something that will be verified when we get into CZC and, again, maybe they will want to talk about that a little bit more in their presentation or if the Council has any questions about that. Some of the -- the discussion was is it on-street or is this on-site parking, if you put it along -- along the street and proximity to the clubhouse and some of these other places, how usable would it be. So, that -- that is, again, in the staff report and, originally, with what they submitted they were nine parking stalls short, but have been working to gain compliance with the code since. I already kind of flashed the building elevation. Sorry. I -- I will let you maybe talk about your amenities a little bit more, but here -- here is a quick slide of some of the amenities that they are proposing with this project and, again, we can jump back here if you want me to linger a little bit longer on this slide and, then, their

pedestrian network. So, here are your sidewalks, your connections, your crosswalks showing the connectivity at least internally on this project and, then, the building elevations -- I flashed those pretty quickly, but there are four four-story multi-family residential buildings and the fitness and leasing buildings and, then, there are two five-story office buildings proposed. These have been given a preliminary review, but -- but final review will, obviously, occur with CZC and design review and they will need to comply with the -- all the design standards in the architectural standards manual, but I didn't see anything in Sonya's report that said that there is anything glaring with these that they couldn't comply, but a detailed review of these buildings has not been performed at this point of the application, so -- so, in -- in review the -- the Commission did have a couple of changes, again, including a condition for construction traffic for the proposed development to access the site from the west via Silverstone Way, rather than from South Rolling Hill Drive. That was part of the applicant's testimony there and I do know -- I saw some e-mails even late this afternoon they have been working with the fire marshal on that and what type of bollard gate chain should be out there, so that is one of the things that the Commission added to the staff report and, then, a requirement that the applicant submit a copy of the purchase agreement for the out-parcel at the north boundary in lieu of granting an access easement to that property. So, one of the others, but they did add that -- that condition just in case. So, if they provide that later we don't need to have the recorded cross-access if that's done in a timely manner. So, I already mentioned from my standpoint, though, a couple of things to think about as you are reviewing this project and any motion to approve the project would be the waiver for the Ridenbaugh Canal and the applicant's request -- oh, I didn't touch on this one. I'm sorry. In the staff report condition -- DA provision number one asked the applicant to submit a development agreement modification before Council. At this point that hasn't been done, so it's not before Council, so it's just a tweak to that that it will be a new development agreement. Where it gets a little bit tricky is that one piece that's already annexed, but we can figure that out I'm confident with the applicant. I don't want to get bound up today about figuring out DA mod, new DA. There may be both and the rezone for that and zoning of that and just making sure that all comes together. There is some -- again some e-mails late this afternoon. I think with legal descriptions and applications we can clean that up. But, sorry, I -- do you have a question, Councilmen, Mayor?

Bernt: Yeah.

Simison: Councilman Bernt.

Bernt: So, more clarity and what you just mentioned. It was -- I don't quite follow what you just said. Sorry.

Hood: So, Sonya had a condition -- I didn't write the page number down. I can look at it, though. It's the first development agreement provision on page -- almost there -- and, essentially, it's what our standard language is for our new annexations. It's just prior to annexation ordinance approval record a development agreement. So, that -- that's basically the change to that is to strike through an amended -- an amendment to the existing development agreement. It's going to be a new development agreement for the



project that's before you this evening. So, a little bit of semantics there, but it -- again just timing wise that -- that didn't happen prior to Council, so we will go ahead and do a development agreement -- a new development agreement for this project. Does that -- that make sense?

Bernt: Yeah, it makes sense.

Hood: So, those are the two kind of cleanup things, at least from my standpoint. If you want to change any other things regarding the private usable open space we talked about, that's at your discretion. Staff's not requesting that of you. And, then, again, maybe a clarification from the applicant even on the ACHD staff report and if there -- the timing of when the bollards will happen and if a right-of-way vacation is also going to need to occur to vacate the right-of-way north into their site. So, just the timing and how they intend to use Rackham I think would be a good part of the discussion as well, since that's been most of the concerns from the neighbors to the south. To that point we do have as of 3:00 o'clock or so this afternoon there were two letters that we had received since the Planning and Zoning Commission from Chris Maiocca, apologize, and Michael Blowers. So, those are there. If you haven't looked at those -- those came in since the Planning and Zoning Commission and with that, Mr. Mayor, I will stand for any further questions you may have.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Thank you, Caleb. Can you help me understand the applicant's proposal for the two commercial buildings, but, then, the six lots? So, the concept plan shows the two buildings there, but I'm trying to understand why plat it for six commercial building lots if they are only actually going to do two commercial buildings?

Hood: Mr. Mayor, Council Woman Perreault, it's a good question and I have not asked the applicant that and, again, this is Sonya's project, so I'm kind of curious myself, but maybe if they can work that into their presentation. I could venture a guess, but I do not know.

Perreault: Mr. Mayor, just one follow up.

Simison: Council Woman Perreault.

Perreault: Thank you. So, the other alternative compliance items that are on page one of the staff report, those are going to be considered with the CUP application; correct? So, we are only going to be concerned with the -- the balcony space in -- in our conversation today, not the parking or any of those things.

Hood: So, Mr. Mayor, Members of Council, Council Woman Perreault, to me it's all on the table. So, if you have -- if that's part of your motion and you feel one way or the other to make this project go, you want to approve it contingent on that, you are the decision maker, so you can address any of those things and, again, we are at annexation stage, too. You have got annexation and a CUP. So, yeah, again, anything you see or don't see that you want to change that's within your purview this evening.

Simison: Council, additional --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. Thank you, Caleb. My questions are around the FLUM and how this kind of fits with our plan holistically for this area of the city. If we, you know, kind of look at this area in the C-G zone -- I guess my first question is going to be do we think holistically we are getting the right amount of commercial out of this area as a whole and my second question is going to be -- you can't come up with two more different residential uses right next to each other. How do we feel this addresses transition or what -- what in the FLUM addresses transition and what would we expect to see between such different residential uses?

Hood: Mr. Mayor, Council Woman Strader, good -- good questions. The first one I guess is a little bit personal choice or flavor or definitely opinion. We don't have a specific target of commercial to residential in our mixed use regional designations. I will call to your attention, though, you know, there are -- most of this mixed use regionally designated area, aside from the stuff that hasn't been annexed yet that's still in the county, has come in with commercial. So, this is the first residential component in -- in there. Yeah, 384 lots or 60 -- yeah. This -- I mean that's -- that's quite a few residential, but overall in -- in the -- in the -- the designation I think we are doing pretty well if we have roughly 20 percent or so of -- of those mixed-use regional areas for set aside for non-residential uses. So, again, that's my opinion. We have some ranges in our comp plan that talk about that and wanting a mix of uses, but unlike some other mixed use designations I'm not concerned at this point with the percentage of our mixed use regional that is going to residential. Your second question is a valid one and I will just be frank with you, I would much prefer that this area transition into the city from Overland to the freeway, not the other way around, for some of the issues that Rolling Hill Drive creates. Naturally you want to use Rolling Hill to get here and we are bollarding it and kind of making a workaround, but to me the natural progression would be to have some of those lots redevelop in the city and, again, work that so that your improvements to the road and your other, infrastructure like sewer and water, can progress to the north towards the freeway, so you are not left with this enclave of county properties. The comp plan does talk about transition and buffers and things like that, but maybe not to the -- that extent; right? It talks, you know, 20, 25 feet to non-residential uses, but it really doesn't talk about -- aside from creating enclaves doesn't really address an appropriate transition of city lots or density to county, one, two three acre parcels. So, I'm sorry, I'm really not a lot help in either one of those questions.

They are good observations, but we -- we have some policies that address it, but it doesn't go as far as to say this is what you do every time in this situation.

Strader: Thanks for the context.

Simison: Council, any additional questions for staff? Okay. Then would the applicant like to come forward?

Wardle: Good evening, Mayor and Council. For the record my name is Jon Wardle. My address is 2929 West Navigator, Meridian, Idaho. 83642. Happy to be here tonight in front of you, an opportunity to talk about the Rackham East and the Eagle View Apartments. Caleb did a great job. It's always hard stepping in when the project's not your project, but be able to give you an overview of it I would be happy to add some clarity on a few items at the end of my presentation on questions that have already been asked as well. So, with that the applications before you tonight are a request for annexation, zoning, and a preliminary plat and also conditional use permit for the apartments that we discussed. There are a couple discussion items that I just wanted to go over through my narrative tonight. One is site access, which is probably the biggest issue. The second one is the private open space, which Caleb discussed and also just a clarification on some parking questions. Previously Rackham, as it was called, was brought into the city, annex, zone, with a development agreement. There were a number of uses that were intended and planned with that project, including residential with -- the original Rackham project came through, if you went back and you read through the development agreement, that was part of that. The part that we are bringing in today from an annexation and zoning perspective is the part in blue, which is referenced as Rackham East. The -- the -- re -- the annexation request is for 25 acres -- nearly 26 acres and the preliminary plat part of this is nearly 30 acres. The project as mentioned was previously platted on -- and these were lots -- county lots and they are going to be re-subdivided, so there is a preliminary plat to modify those, as well as the -- and will bring through final plats in the future. All the properties to the south of the blue are zoned R-1 in the county. But in the city -- on the city's future land use map this is all shown as mixed use regional. What I have done here is I have just put the overall concept master plan beneath -- or underneath it so you can kind of see how these projects are working together. The original projects with the retail core, office buildings, office buildings here, the TopGolf and, then, we are proposing with this project the multi-family apartment project, as well as a couple of five-story office buildings. Just zooming in just a little bit, as you can see that our preliminary plat boundary here is outlined in red. We do overlap the previous Rackham Subdivision, which has been platted. There were two lots there and they will be coming in and -- with a new plat as demonstrated on the preliminary plat, but we are annexing the 25.76 acres and the preliminary plat, which provided is almost 30 acres. As we -- as Caleb had mentioned, we are -- have two different zones here. One is the commercial zone, which is adjacent to I-84, and, then, the residential zone, which is shown here in blue, which is the R-40 piece. Caleb had mentioned briefly -- and I'm just going to kind of note it here with my hand up here, there is a 14 foot strip of land that was when I-84 was planned back in the '60s there was a small parcel that belonged to the parcel to the north. The property to the south, which was one owner, they owned it at one point, but through a tax

sale they lost it and so it's owned by a different owner. Keep in mind it is 14 feet wide, but we do have a contract to purchase that. We provided the -- the sellers part of that to the city. We have a counter sign, but I don't have both documents together, but we will provide that documentation to staff, so we can clarify that issue once and for all. This is the overall Eagle View master plan. I just wanted to highlight the different elements here in this project as it's all come together. There is a mix of office, retail. There is a hotel. Entertainment. As well as the multi-family piece. As I mentioned, when the project came through originally Rackham -- all those uses were identified here and as additional property was acquired to the east the -- the multi-family component moved to the east, as well as the two office buildings. As a whole this is a planned -- an overall master planned community, which does touch on all the elements that the city wants in a regional mixed use designation, from the retail, all the way to the multi-family, to the entertainment, into the office piece here. This also shows the roads as they come into the property today. Starting on the west side Eagle Road, you have Rackham Way, which is a right-in, right-out. Silverstone, which is the signalized intersection and, then, we also have Rolling Hill. One of the items -- probably the item that we have spent the most time on and working with the agencies -- well, before I get there I just wanted to note that the -- the comp plan -- in terms of the comp plan designation, staff did have a very detailed list of how this does comply with the Comprehensive Plan, but, in summary, staff does believe that the proposed development is consistent with the vision of the comp plan for the area per their analysis which was in the staff report. One of the items that I do want to talk about is site access. We -- we have spent a lot of time on this issue to work through a way that is -- provides access to the new development, but also is respectful for the residents that are on Rolling Hill. I know that a number of those neighbors are online and I'm sure will be testifying, but one of the things that we have spent time on was limiting or eliminating access at all from the development to Rolling Hill. As you know if you have driven that road, they are -- they are residences, they are single family homes. The roadway is not improved. We -- we heard what the residents said and what they -- what they wanted. We went back immediately after the first Planning and Zoning meeting, which there was not an ACHD staff report at that time and started looking to see if -- what the ability to close off Rolling Hill completely for emergency access only, so that we would limit the development. The development couldn't access Rolling Hill Drive. We met with the fire department. We spent a lot of time with ACHD. There was a follow-up report. ACHD issued their staff report just before the January 6th Planning and Zoning Commission hearing and there were two -- there were two site-specific conditions that they gave kind of option one or option two. Option one was if -- if Rolling Hill Drive is emergency access only, then, all access -- all property or project traffic needs to go to Silverstone where there is a signal. But we still needed to provide the way for emergency vehicles to get in. ACHD requested, as you will note at the bottom of this one, that they requested an additional review of what all traffic would -- how that would impact Rolling -- or Silverstone and we were able to get that completed and provided to them. Option number two was, okay, if you are going to access Rolling Hill you need to make improvements on Rolling Hill Drive, street lights, curb, gutter, sidewalk, storm drainage and that meant that, you know, development traffic would use that road as well and that was not -- as you can appreciate, not a preferred solution. So, we have worked really hard to come up with option number one and we have we believe all the pieces to make that work. ACHD

issued their memo on the 4th of February that based on the updated analysis staff is supportive of the applicant restricting Rolling Hill Drive to emergency access only. We have worked with the fire department on how that would work. The one element that we are still trying to work through is the location of where that cul-de-sac will be. We have talked with the neighbor directly adjacent to our property on the east side of Rolling Hill trying to acquire that easement for that turnaround. We also own property 180 feet to the south where we can create part of that turnaround on that property as well. But the intent is -- and let me be clear. The intent is to close Rolling Hill Drive. There will be a turnaround there for emergency access. If they need to get through there will be bollards or some other solution, but this maintains Rolling Hill Drive in its existing state today without impacting or putting that traffic on them. I do want to not sidestep the issue that there has been a lot of construction traffic on Rolling Hill already and that has been a source of great displeasure from the residents and I -- I want to acknowledge that. We have been working -- been working hard over, you know, the last few days with our partners BVA, they -- they have worked through ways to -- with the contractors to keep them off of that, to have all the traffic going to Rolling -- going to Silverstone. Will there be some cars and trucks that slide through? Yes. But our hope is that we can minimize that dramatically. We are also wanting to put three signs immediately on Rolling Hill Drive that would say all construction access needs to go to Silverstone. I can't close down Rolling Hill Drive quite yet, because we need to create that turnaround first, but our goal is to make that happen and make it happen quickly. So, it can't close immediately. We are talking hopefully within a few months we can get that closed immediately, but the -- the light is at the end of the tunnel and I hope that we can continue to be good neighbors and work through this with our -- with the neighbors of the south. Just wanted to cover really quickly again -- there is one item that we need you to act on and that would be the waiver to not pipe the Ridenbaugh Canal. So, in a motion that's made tonight if that can be included we would appreciate that. Regarding the conditional use permit, as Caleb identified, we have 396 units here. A mix of studio, one bedroom and two bedroom units. The required parking based on the units alone is 648 units. Where we got caught -- and this hasn't come up with any of our other multi-family projects -- was the need to calculate parking for the amenity center, which in our view is ancillary. So, that came up at the prior hearing. We spent time with staff. We were looking for ways that we could provide more parking near or on site and you can see it right here, but we highlighted a little area here to the north where we can provide 20 additional parking stalls directly adjacent to the property. We did talk with the fire department. That's acceptable to them. There is no impact. The road is wide enough. But that's the big issue -- or I would just mention that we believe that the site plan as proposed does provide the required parking for the project. The -- the one issue I want to spend a little time on are the open space and amenities. We are requesting that the studio units not have balconies. The city has a requirement in their code that all units be -- provide a minimum of 80 square feet of outdoor private space and in the case here we have 48 studio units which do not have any private space or a balcony, whereas the other ones do. The overall project does have nearly 8,000 square feet of indoor space contained in a clubhouse, leasing center, gathering rooms, fitness and 3.5 acres of outdoor space. This is kind of highlighting where these different locations are. We have -- in the middle of each building we have dedicated outdoor space. So, it's not tucked away in a corner, it's central to those -- those two buildings on the east and the

west and also central to the entire project we placed the amenities there in the middle. So, no one is moving -- having to move too far on the project to get to outdoor spaces or indoor spaces in the project. The overall amenities -- in the center amenities we have resident lounges, fitness facilities, conference rooms, which have become -- proven to be very popular. There is wi-fi throughout the project. Outdoor pools, patios, that type of thing. And on the two amenity areas we actually have -- they are very similar with a slight deviation between some of those uses. What we are asking for is consideration. As Caleb mentioned, we did request alternative compliance. We were granted alternative compliance, a reduction -- a 20 percent reduction, but that came with each unit needing to provide a minimum of 64 square feet of balcony space or patio space. Why are we asking for this? We actually have two other projects where this has already been approved. The two projects out at Ten Mile. At the -- at The Flats and also at the new project to the north, which is called Ten Mile Creek or TM Creek Apartments 3 or Altair, those units -- those buildings both have studios without private balconies. Don't get me wrong, the -- the spaces are important, but we have tried to design this in such a way -- if you look at these studios, they really are pretty similar to a hotel room where the desire is you are going to be there, you are going to live there, there is not a dedicated bedroom, but we have offset that with the amazing outdoor spaces that we have between all the buildings we see here, which are centrally located, as well as the community amenity center, which is not by any means -- we have not skimped on that. I want to just -- I know my time is about up here. I just wanted to highlight what the indoor spaces are going to look like. This is what we just built at the loft -- at The Flats. These are highly amenitized, both indoor and outdoor spaces. Get a lot of activity and a lot of use. And, then, this just -- one other thing I wanted to mention was with the project there is already 2,000 lineal feet of the regional pathway that's along the freeway. We are going to add another 3,000 feet. So, you have nearly a mile worth of outdoor walking spaces to -- in concert with the indoor spaces. The project's only required to have 2.27 acres of qualified open space. We actually have 3.549 acres. So, we didn't try to -- to reduce -- go to the minimum on all this. In fact, we have actually -- we believe we have raised the bar on both the amenities that are here, that are both physical in terms of buildings and outdoor spaces and do not believe that those studios should be required to have the balconies. I will note that the overall project average is 66 square feet on balconies, but that's the break -- that's the ratio of those units. So, in summary, just to wrap up, we are asking the Council to approve our request to accept the private open space as proposed. We also believe -- and we have worked with staff on this. We also believe that the site plan as proposed we do meet the parking standards and request your approval for the CUP for Eagle View Landing. In your deliberations, again, just asking that we have a waiver to pipe the Ridenbaugh and, then, also your review and approval of the private open space and the parking requirements and I stand for any questions. I know I have a couple right off the bat, so we -- we can go for new questions or -- Mr. Mayor, I guess I'm stepping into your lane, so --

Simison: Council -- well, let him address any questions that have already been answered, so we can just put a stop to the time. If there is any questions that were already asked that you can answer before we go to new Council questions.

Wardle: You bet. The first question that I wanted to address was the question on the plat and the buildings. I'm just zooming back here to that sheet. So, on our master plan we are showing two buildings. On our preliminary plat we are showing six commercial lots. When we plat projects we are only able to -- on a final plat up to, but no more than the number of lots that are proposed. Given that this is a preliminary plat and we are still working through details on the buildings, we wanted to have a little bit of flexibility that if we had, you know, let's say four buildings, instead of two buildings, that those could be on individual lots. So, we shot a little bit higher than what we needed, but ultimately we believe this is going to get reduced on a final plat to two lots, instead of six. Regarding the -- the future land use map on the Comprehensive Plan in the regional mixed use, there is actually a goal in that there would be a minimum of -- a minimum ten percent residential in the overall regional mixed use. Now, granted, there is a -- there is a wide variety of residential units right now, but this is in the county and when they come in and they develop those properties, if and when -- no crystal ball there -- but if and when they do, you know, they would also be having to comply with the goals of the regional mixed use. So, we feel like as an overall project with the mix of office, retail, entertainment, hotel and multi-family, we are not just meeting, but we -- we have come up with a lot of different opportunities and uses here that add to the regional mix use nature. Those were the two big questions that were -- that I noted just before I got up here, so thank you, Mr. Mayor.

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

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: A couple of short ones. Jon, that out parcel to the north that you are acquiring now is -- is there some provision in the -- in the DA for this that requires it also to be -- an annexation to be applied for at a date certain, zoned C-G, as opposed to --

Wardle: Yeah. Mr. Mayor, Councilman Borton, to answer your question, we have discussed that with staff. It would be best to have it in the city and have it annexed and zoned. So, at some point in the future we would do a cleanup and bring that in and have it be consistent with the other zoning that's right there.

Borton: Would it be acceptable to have that commitment in the DA?

Wardle: Mr. Mayor, Councilman Borton, as long as there was flexibility on the timing of such. So, as long as it wasn't, you know, required to come in prior to us providing a CZC for -- or building permits for the apartments, but if it was just a condition in there that as we move through the project, yes, we -- that would be fine to have that in the DA.

Borton: Just to follow up on that.

Simison: Councilman Borton.

Borton: Do you have an idea of what you think a reasonable benchmark would be?

Wardle: Mr. Mayor, Councilman Borton, if we had a year -- I'm not saying that we need a year, but there is that process. We -- we have to go out and we have to do neighborhood meetings again and we have got noticing and things like that. So, if you would give us the -- the latitude to make that happen without a -- you know, a hard hammer that's very short, we would appreciate that.

Borton: Okay. Mr. Mayor, last question.

Simison: Councilman Borton.

Borton: It appears that the previous discussion of how it should be zoned is resolved with you acknowledging and agreeing to do R-40 on the multi-family?

Wardle: Mr. Mayor, Councilman Borton, that's correct. It would be zoned R-40.

Borton: Great. Thank you. Appreciate it.

Wardle: Thank you.

Simison: Council Woman Strader.

Strader: Thank you, Mr. Mayor. I have a couple questions. I will just start with the first one and go from there. I guess my first question was just in terms of the connectivity and integration of uses. So, one thing the city has struggled with -- we actually had a graduate student do a study on how we are doing a poor job on our mixed-use development of making sure that our uses are really integrated and especially that there is pedestrian connectivity -- you mentioned pathways, but can you kind of walk me through how there is connectivity? If I look at the site plan -- and I understand it's a very large area and the nature of the office building is going to need a lot of parking, but it does sort of look like there is a sort of a sea of parking in between uses, but just kind of walk me through the integration of these different types of uses and, then, the timing of the commercial and when that's coming in connection with the multi-family.

Wardle: Mr. Mayor, Council Woman Strader, it's hard to see here and there was -- there was an exhibit in the application and I should have brought that into here, but we have made a very focused and concentrated effort to provide a lot of connectivity through the site. So, yes, there is a sea of parking. As you can see specifically on the multi-family, the number of pathways to move in and out of the site without, you know, minimizing the parking lot. When we talk about the rest of the property, it's -- again, it's impossible to see here, but there is the -- the regional pathway that goes all the way around and, then, all these parking lots have dedicated ways to get to that pathway, as well as protected ways to get back to the roadways, which also have sidewalks on both sides. So, I -- I do -- I do hear what you are saying. We -- but we have and we do continue to look at all these details. In fact, I know it's an item that's -- when we do the certificates of zoning



compliance your staff is looking at that specifically, making sure that there are logical ways to work through parking lots and getting the pathway systems where the -- the crossings are minimized. To the second question, there is a lot of activity that's happening currently on site in terms of, you know, these retail uses have -- have already been built. This office building's been built. This one is built and occupied. This one's under construction now. The TopGolf, they are starting their work as well. Our plan -- and I know talking with our partners at BVA is they -- they also are looking to do another office fairly quickly. So, I -- I can see that there would be a flurry of activity between the apartment projects that we will have and at least one of those office buildings in the next 12 months you would see that activity happening in earnest.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. That's I guess helpful. If you maybe could talk about the rationale of the placement of the office buildings. I'm assuming it's important that those be visible next to I-84. Did you guys look at different configurations of maybe changing it so there isn't so much parking in between those two uses? Do you feel like it's more important to connect the multi-family use to the entertainment use and how does that connect? I guess if you could just kind of -- I know you brought up the pathways earlier for the whole site, but it's hard to see them. If you could just sort of walk us through the -- the connection, so someone didn't have to necessarily -- hopefully not -- get in their, you know, pickup to go from their multi-family apartment to play TopGolf; right?

Wardle: Mr. Mayor, Council Woman Strader, the -- the office buildings really do orient to the freeway and the -- the only way on -- on a building, you know, when you are building buildings that are five story tall you do need to have that parking and we have -- we have found that having, you know, and it is -- there is a field of parking between the drive aisle that will provide access through there, but we do feel like this configuration does -- does work very well, so that those buildings are visible. I mean it is -- you will -- we have frequently individuals, tenants that are coming, who for them having that freeway visibility is -- is very important. So, that's the way that these other buildings have been designed where we have tried to put, you know, these buildings out on the freeway and put the parking back behind, but also put that part in between it and other uses. I don't know that I can do this very well, but when we look at this drive aisle that comes all the way through and there is another drive aisle that comes all the way through here, these actually are being built as if they were streets. They have sidewalks on both sides and so, you know, coming out of the multi-family community -- as you can see if you are coming out of here, you are going to be able to come across the street in a different -- few different locations and walk right over to TopGolf and, then, you will be able to continue through -- in a safe way through the entire project to get to other places as well. There will also be parallel sidewalks which are down here along this drive aisle, gets you over to the food opportunities or other uses and things like that. So, it's not -- it doesn't show well on this exhibit, my apologies, but the intent is there are -- pedestrian access has been designed with the project, not as an afterthought, but a primary thought.

Strader: Mr. Mayor, one more.

Simison: Council Woman Strader.

Strader: Okay. Thank you. Understood on Rolling Hill, your approach, and I read ACHD's letter and I appreciate them thinking that through and certainly this is a real contrast in uses. What do we do in the future, you know, time frame wise, what if these county properties start to redevelop, how do we undo -- this is just a general question, but if it's emergency access now, to Caleb's point, I'm not sure this is the ideal order we would go in, but it's the project before us. How would we undo that? How would we later make it not emergency access if these county properties develop and it doesn't become appropriate anymore to have it this way?

Wardle: Mr. Mayor, Council Woman Strader, it's a great question. The -- the fact that Rolling Hill is a public road -- so, it's -- that option is not foreclosed. All of these residents here have access there. The concern that they have, the residents, as well as ACHD, is they are still there and so the way that ACHD viewed it was in order for Rolling Hill to change or for -- you know, for that matter letting offices move forward and access Rolling Hill, all of these homes would need to be acquired and that residential use would go away. For us, you know, we were -- we were going to provide, you know, it's -- you see it over here, but when Silverstone comes in the property there is a -- an ACHD approved turnaround and we were going to do the same thing here and we still have that land available to do that. So, the point in time that this redevelops -- and there is no timeline for that and they would have to redevelop in altogether, then, that access could happen and access down to Overland Road. Ideally there would be an access that would occur over a little bit farther to the east and this is where my cursor is. This is where ACHD -- their signal would be and so there would need to be redevelopment, purchase of properties in order to get over that -- over to that location, because Rolling Hill, as it is currently, if it was improved at this point in time, it would be limited to right-in, right-out, but the long-term full access needs to happen over on this -- to the east. So, I don't view that it is foreclosed in terms of, you know, nothing has to be undone, but at the same time we can't force or push or, you know, change anybody's short-term or long-term plans for the property.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. Yeah. I mean, obviously, we agree with that and just for people who are watching there is no intention for the city to force them to do anything. I just wanted to understand from a long-term planning perspective. Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Thanks. Council Member Strader, I think you touched on -- and, Jon, just being frank, that -- that's my biggest concern about this -- this project and I want to appreciate -- I know you and your staff went through continuances with Planning and Zoning to try and work this out and I appreciate wanting to be sympathetic to the neighbors. I know Caleb and our Planning staff have tried to kind of engage with that -- those neighbors over the years to see if there was some motivation and clearly they want to stay as -- as county subs and I know there were some concerns at the Planning and Zoning Commission about forced annexation. I don't think that's something that we are considering and I want to give comfort to those residents. That said, I have got real concerns about the access. Four hundred units -- frankly, I'm much more comfortable with a multi-family housing if we are taking access further east. Having cars stack up right there on Silverstone -- I just think that we are going to have some real significant traffic challenges on an already congested road. I'm curious, you know, you -- your group is really really smart when it comes to this stuff and I don't know if there is a -- an Option B. The part that I guess where I -- cutting to the chase that I worry about is if I live in that multi-family and I drive past that emergency access every day with the bollards, it's only a matter of time I think until somebody tries to take, you know, matters into their own hands and we create a -- a much larger challenge and so I -- I don't know if there is a third option you guys have explored. I -- I don't know what it -- what it would be, but I'm just wanting to be real up front that while I appreciate the approach that you took to be sympathetic to those county residents, I don't know if this access plan is in the best interest of the city or your future tenants.

Wardle: Mr. Mayor, if I -- Mr. Cavener, if I can maybe provide a little bit more color. The -- the one positive here on this is the -- the direction of these trips. So, office tenants are going to be coming in in the morning and apartment residences are going to be going out in the morning and that flow reverses and so I know what you are -- I know what you are saying about the number of trips that will be at Silverstone. Silverstone has been improved, so there are two dedicated left turn lanes, a through lane and a dedicated right turn lane. So, there is more capacity there. But it is positive in that the -- the residential uses and the office uses are kind of going different directions and so they are not all trying to get out at the same time and they are not all trying to come in at the same time. In fact, there is a gap between the two when they are coming and going. In particular in the evening. Yes, is -- is there a -- is there a long-term solution that we need to be looking at? Absolutely. I -- you know, I -- but it would require a big change today to our -- our neighbors to the south and so I think if we just all remember that over time it's important that we do provide for an access up here long term, but that timing needs to be tied with, you know, the purchase of those properties to the south.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: While I have got the mic. Jon, you guys have done a lot of different type of multi-family projects. You referenced a little bit when you were talking about amenities,

you made some comparisons I think to TM Crossing. Is it your vision that this is that same type of a family of facility that you guys plan to open and operate?

Wardle: Mr. Mayor, Councilman Cavener, absolutely. One of the things that we have tried to -- to do is we have been pushing ourselves, as we have done more and more projects and we -- for us it is -- the living spaces are important, but the overall feel for the community in terms of overall amenities, the way -- when you come into the community what that feels like and the long-term maintenance is -- is important. We have -- we have noticed, you know, some changes in demographics and the way that -- configuration of the way people live, you know, singles, twos, you know, families, that type of thing, but given the location here with Eagle View Landing and the office uses, that's why we are really focused on the -- the studios, the one bedrooms and the two bedrooms. You know, the -- the majority of these -- these homes will be one bedroom units. One bedroom and studio. And -- and that -- that's specific to who will be working out at Eagle View Landing. We hope that, you know, they find a reason to -- to live nearby. I will tell you we have that very experience out at Ten Mile. I can't give you the specific numbers, but I know that there are a lot of people who live in the apartments that are at Ten Mile that are also working in the buildings that we have out there. So, it's good to have that element involved.

Cavener: Great. Thank you.

Simison: Council, any additional questions for the applicant?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I have several. First of all, I want to ask -- that was the farmstead property and it's hard to see what was there turning into hot black concrete. Nevertheless, it was -- has there been any consideration made of putting a parking garage out here? I know it's very expensive. It just seems to me like this would be a more usable functional space, the entire development having less parking lot. So, I don't know if you want me to give you all of the questions and, then, you answer them or one -- one at a time.

Simison: Let's take them one at a time --

Wardle: Yeah.

Simison: -- and I'm not going to recognize you, just ask your questions.

Perreault: Okay. Thank you.

Wardle; Mr. Mayor, Council Woman Perreault, we haven't planned any parking garages at this time. There -- there is an opportunity and we have seen this out at Ten Mile -- while we are getting back to that question about having additional parcels and property -- that

could redevelop in the future, but as it stands right now it isn't feasible to do parking garages, unless you are in a location that is fairly dense in the core someplace or, you know, in the downtown core. Right now we aren't proposing any parking structures on the property.

Perreault: Thank you. Then my question -- my next question is in regard to something Council Woman Strader brought up and I appreciate that is how -- how are you going to transition from the multi-family to the acreage lots to the south? What's the distance between the most southern units and the closest home on the south side and will you be putting any kind of walls in there, you know, noise mitigation, light mitigation? What is -- since Caleb had mentioned there isn't a code for what the setback would need to be, because, you know, that southern property is in the county, what will that look like?

Wardle: Mr. Mayor, Council Woman Perreault, regarding the setback, as it sits right now from the nearest building to the property line we are 115 feet and, then, there is -- probably the home on the west side is the closest. They have a barn that's there, but, then, the home is a little farther south. So, you know, 150, 165 feet before we get to that barn structure. Regarding this, we have actually -- we do intend to landscape and fence with a solid fence along the entire border here. We do need to -- we are looking at -- in terms of if we can get any elevation on that fence higher, there is a -- an existing waterway that's not on our property just to the south, so we intend to have the fence on our side with landscaping as well. If we can add height to that we will, but the -- the idea is that we would be fencing this entire property line and so from the closest point on any of those buildings to the property line is 115 feet.

Perreault: Thank you very much.

Wardle: I will also just note here that we do have a -- there is a landscape buffer along the south of the drive aisle and we have a 34 foot landscape buffer between the back of curb and the parking lot as well. So, there will be a fair amount of landscaping that happens in there in that core.

Perreault: Great. Thank you. Can you bring up the pedestrian circulation plan?

Wardle: Do you have that one? Mr. Mayor, Council Woman Perreault, we did submit one in the application and Caleb can bring that up that relates to our site. I do -- looking back at the previous project as well, I know that they had provided an overall pathway plan. But let me just disconnect here for a second and, then, Caleb can --

Perreault: No. I meant the one within the multi-family.

Wardle: Oh. Yeah. I'm sorry.

Perreault: No. You're fine. I think there is one just a little bit bigger.

Perreault: Oh, there was one that had blue lines running all through it. Was that -- yes. Can you bring that up, please. Thank you. So, I see in the multi-family area that they are running mostly along the sidewalks. What about safety as folks are walking through the parking sections? So, obviously, a lot of parking -- these are pretty long rows. Are there going to be dedicated areas for people to walk through these parking areas without having to go all the way over in the middle and, then, come up to the buildings? Because they are going to have to go -- if it follows this -- this plan they are -- they are going to have to walk all the way around. So, are there going to be sections in between some of this parking where they are going to be able to walk safely?

Wardle: Mr. Mayor, Council Woman Perreault, clearly there are -- there are crossings of the drive aisles and this doesn't necessarily show all of them, but it shows a few of them, kind of how we were connecting to the north. Those are, you know, per your -- the UDC we do have to delineate those as a different material. So, that -- it will be obvious in those parking lots. But it's not -- doesn't show here, but through the middle of this core, as well there is east-west pathways coming through here that will also bring you right into the community center in the middle and these places. It -- it would be great if we weren't cross parking at all, but, actually, the fact that people are able to cross coming out of their home -- out of their cars right into a unit with -- with minimal amount of crossing, we felt like this design, by centrally or bringing the units into the middle and putting the parking on the outside, instead of kind of co-mingling, which, then, you get into a curvilinear design, we felt like this was a good way to address the pedestrian safety, as well as the overall parking requirements for a project like this.

Perreault: It seems as though folks will always take the path of least resistance, so I would hope there will be dedicated -- whether it's -- whether it's painted markings in the -- in the parking lot areas where, you know, folks can walk in between from the carports, you know, it's -- I just -- I just -- it seems like there is very very long rows of parking and not any breaks and maybe -- maybe that's what those little rectangular boxes are. Are those breaks or are those --

Wardle: Rectangular boxes end up being --

Perreault: Strips of parking?

Wardle: Yeah. The trees, that type of thing. We -- we have tried -- and we do this quite frequently as you will see here coming up through here where you have a little wider planter strip, so you can have a pathway going through parking lots. I don't have the details here, but I -- I do know that we have -- we have tried to minimize the number of -- of crossings to those units. We have found that, you know, a lot of people like to park right at their front door as much as possible and all of these buildings are around -- are -- you know, have a lot of parking right up against the homes as well. So, will there be some? Yes. We have tried to put all the covered parking elements to the outside, but we find that people, you know, want to get to that surface parking into their unit as quickly as possible. They do take the path of least resistance and, you know, wayfinding is

important and I know that's also something that the city -- the city does require and look at. So, we will make sure that we -- we comply with the requirements and make it obvious.

Perreault: Thank you very much. Just one more. The -- the patio or balcony spaces, can you help us understand more about is it -- is it a cost concern? Is it an architectural design concern? Is it -- what specifically is the -- I -- I -- I think the amenity package is fantastic. I just don't see the downside of -- of -- of having those private spaces. For -- for me personally those private -- that -- that private space is really special and important. But I'm not understanding the downside of having that. So, help -- help us -- you know, you, as a developer, you are -- in your business plan and in your design, what is -- what is the reason for the request to not include that on the studios? Is it -- sometimes these buildings are put together like little puzzles and so is it -- are you actually physically not able to fit and -- you know, a patio or balcony space onto those studios or is it how it looks from the outside? Help us understand that.

Wardle: Mr. Mayor, Council Woman Perreault, great question on the studios. The studios are -- are unique in that there is not a separate bedroom and so by putting a balcony on those we are obviously -- we are moving into a space that's part of their living space. As we have built these communities here in Meridian, both the -- The Flats and also our next phase out at Ten Mile and these units that are studios without balconies, they are popular. It's -- it's a lifestyle choice. Somebody is going to come in and they are going to look at that and it's like that works perfect for me. It may not be for everybody. Absolutely. I understand that. So, then, what's the trade-off for us? You know, we have tried to maximize the amount of living space for that individual who is living in a studio and the trade-off is we are also providing a lot of outdoor space and a lot of indoor space that they can use to -- to be social. These -- these are one tenant units. I will tell you that if -- if you have more than one in there it feels -- well, you will know your neighbors there in your house. So, it's -- it's -- does it add cost? It does. But we have tried to maximize the amount of square footage in these studios, so that the living space that they have is top notch and high quality.

Simison: Council, any additional questions?

Strader: Yeah. Mr. Mayor, one more.

Simison: Council Woman Strader.

Strader: Sneak it in real quick. One of the only developments where I actually believe only 40 students would be generated based on the unit count. I was really curious about -- schools have been a big topic for us, though; right? And I'm sure that's not news to you. It looked like in West Ada's letter Centennial is listed as a possible school. Can you just walk us through where these kids are going to go to school and what conversations you have had with the district.

Wardle: Sorry. My iPad shut there. Do you have that letter you can pull up from -- I can't get to it. When our -- our only conversation that we have had with the school district, Mr.

Mayor, Council Woman Strader, was on that question on Centennial, because it does seem like it's a long ways away. But it's based on where they have their boundaries. Does that mean that they -- you know, we -- we know that -- that boundary movements are -- are one of their tools that they could implement and, you know, that may change, but at this point in time my guess is when they drew the boundaries they were not viewing this area as generating a lot of high school students and Centennial had the capacity and so that's -- I don't know exactly. I don't know the history on it. But that was -- that was the only interaction we have had was when that -- we saw that as well.

Strader: So -- so just to clarify. So, Centennial being designated as within an existing boundary is what you have heard, that -- it just really surprises me. It almost feels like a one-off, like they kind of just said, ooh, in the south we are over capacity, so these kids will go to Centennial. Which is fine. I just want to understand if other developments in this area would also go to Centennial. That just strikes me as a really bizarre approach.

Simison: Jon, I can say I was on the boundary committee when this was discussed and -- and -- but it was with the Cloverdale overpass going in and the widening of Cloverdale and the Mountain View numbers and Centennial was under. So, it was a balancing for that purpose. So, the students in this area already go to Centennial, unless they get a waiver to go into Mountain View.

Strader: Thank you.

Wardle: If I'm not mistaken, I think Overland is the line. I was just looking for that map to see. But I think that's -- there is that little piece just south of the freeway that goes that way.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor, Jon, I want to go to the open space issue to kind of cover that. We know with your prior projects you -- you do very nice amenities and -- and it looks like this one is nice amenities. Where I -- I -- I'm just thinking through -- you are innovative, you -- you usually are the first ones out to try something new and so with the -- you know, no private space for the outside areas for these studios, is -- is not a bad thing, it's a good thing, but that means others will follow and it's going to happen elsewhere. So, I'm trying to -- in my mind thinking, okay, what happens when the next one comes. My question is would you classify this as extraordinary space for you, for your projects, or is it just your good -- your top-notch outdoor amenity space and, then, I could -- because, then, I have to contrast that with someone else who comes in and says, hey, we have open space, too, and it's just big open space with, you know, bocce ball and that's it. So, help me understand, you know, what comes next in terms of that evolution and -- and Caleb has, you know, talked about the UDC focus group that I think we need to do something, so I guess kind of help me explore this now, so we can kind of look down the road for how that works for others that follow.



Wardle: Mr. Mayor, Council President Hoaglund, that's a great question. We have been fortunate at Brighton to be able to have almost absolute control over the design of these apartment communities. To be clear, we need -- we need rentals. We need housing. But housing doesn't need to -- we don't need to hit the minimum bar. We -- we need to be looking at, you know, what -- you know, what is meeting the lifestyle needs as best we see fit today. With each one of our projects we have kind of been pushed to do more and that's an internal push. What does that mean externally? You know, the -- the -- the city does have a process and that process right now is the conditional use process. I think that that gives staff and the Planning and Zoning Commission an opportunity to look at these and look at it as an entire project. We can all point to multi-family projects here in the city, which have been done really well. We can also point to some where you look at it and say they did the minimum. I can assure you that we won't ever do the minimum and just hit the bar we did before. We have mixed things up. We have changed things as -- as -- as we have done our research and we have gone across the country and we get feedback from our residents. So, I would expect and I would hope that this City Council would look for us to continue to raise the bar in all our communities. Now, not every multi-family project is the same. We might find that there is locations where some of the amenities that are nearby are -- it's a good place for a multi-family project and maybe there is a trade-off; right? But I think we all need to do a better job in the development community of detailing for the city what our vision is for these projects and, then, the City Council or the Planning and Zoning Commission needs to look at them on a project by project basis. If we are not meeting the standard the city wants, then, let's -- you know, let's make sure these projects are doing that. We feel very strongly that we are way beyond the minimum. There was even a conversation that came up on the parking issue. You know, we tripped the parking threshold because of these community elements which we built and we have used ancillary. Well, what's the easy solution? Let's chop 3,000 square feet of a building off. We still met the standard. We met the parking requirements, but that didn't feel like that was the right solution either. So, Councilman -- Council President Hoaglund, it's a great -- it's a great question. I -- I believe that this project, not just stands on its own, but, you know, really exceeds what the minimums would be and we feel like we have balanced the -- perhaps the trade-off of some private open space for studios with a great amount of space -- open space for the entire community. In context, the 48 units here represent 12 percent of the entire project. So, most of the project, if you look at the average, we meet the overall standard or what we have been granted. But we are just asking that the project specific that we propose in front of you with those private open space be -- be approved given the amenity package with this project as a standalone.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Thank you, Mr. Mayor. So, you know, as a Council and as a city -- you know, every city has code and ordinance. We have rules and laws that we follow and it's for a reason, obviously, and you guys know the reason for that and when it comes to -- and I was lucky enough to sit on the -- the Comprehensive Plan committee with you, Jon, and

with many others and open space committees and what I'm a huge fan of is horse trading every once in a while. I don't think that there is anything wrong with a developer coming up with something that's outside the box, that is completely different than what maybe our code says and casts that vision. I think that, okay, you are not going to provide, you know, an eight by ten balcony for a studio apartment, but I'm very familiar with the type of amenities that you have at TM Crossing and also at The Flats and they are not your typical amenities and that's what I will -- I will leave it at that. They are -- they are -- they are different. They are much nicer, much better. And so I don't mind horse trading and I appreciate you casting that vision. So, one question that I had -- and I have the same concerns as others, too, with regard to the -- the -- you know, the traffic flow and cutting off that one road. I forgot the name.

Wardle: Rolling Hill?

Bernt: Yeah. So, walk me through why you feel like -- because, Jon, as you know, I mean it's rare that you do hit a minimum of anything with, you know, projects that you do. So, knowing that your nine spaces short of, you know, like -- and you say that it's ancillary, walk me through why you feel like it's ancillary.

Wardle: Mr. Mayor, Councilman Bernt, if this was -- let's just say they were live-work units, where that unit had the opportunity for somebody to come there to do business and, then, leave, then, I -- I think we would have a different conversation here. But the clubhouse element, which, again, I -- this gets back to Council President Hoaglund's like, you know, there is a precedent set. I'm going to raise my hand first and say, actually, yeah, there was a precedent set. We have not ever provided parking for our clubhouses. The parking count has always been based on the units and we have always met that. It came up this time and so, then, we went back to staff, like, okay, we didn't know that. It wasn't caught. Apparently it's been caught on other projects, but it hadn't ever been caught on our -- on our projects and so we were looking at ways that we could provide the additional parking stalls. Again, the -- if we weren't interested in the overall feel of the project it would be easy just to chop off 3,000 square feet of amenity space and still meet the standard, but that didn't feel right and so we looked for on-street parking opportunities. There is also the question about shared parking. Back to the previous point, we don't want to be required to lock into a shared parking if we are talking nine stalls, walking across the street, and that -- that would be acceptable. We actually could get that approved through alternative compliance if we had a shared parking agreement in the parking lot for nine stalls. But having 20 stalls right up against the site, it didn't quite meet the UDC requirement. So, there -- there is a lot of parking that we are providing here, but there is also -- there will be some overflow that happens as well. We don't believe that there will be a parking deficit on this property and the project.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: So, if you feel -- Jon, if you feel like there is going to be an overflow of parking, how do you expect to fix that? I mean where do they -- where are they going to park if -- if there is no parking -- you know, if you haven't provided any extra parking for that club.

Wardle: Mr. Mayor, Councilman Bernt, one of the issues that -- I -- I know you have come before you all the time is people are parking on the residential streets. Multi-family projects. If I just go back to the overall site plan here. When Rolling Hill is closed, if somebody comes in here and they park, they are likely parking in the office buildings to the north as an overflow. Given the -- the timing of that parking as well, while not ideal, there is going to be a large number of parking after hours on this property and adjacent buildings that would be available. We don't want to be required to enter into a shared parking agreement. We don't think it's going to be necessary or needed and that was one of the ways that we thought directly adjacent to, like I showed here -- and, in fact, we actually could do parking on this side as well. We can do parking on this side as well. All those roads are sized that they could accommodate -- they are -- they are residential sized streets. They are the same size as you would find in most residential neighborhoods where they allow parking.

Bernt: Mr. Mayor. Jon, are you -- are you just -- I guess you are making a little -- just more space along that road for extra parking? Is that what you are doing?

Wardle: We are -- you can't quite see it, but there is a -- there is a bulb out here on this end and there is a bulb out there and it provides that pocket where cars can park in parallel to the project.

Bernt: Mr. Mayor? Jon or --

Simison: Councilman Bernt.

Bernt: Mr. Bongiorno, are we good there?

Simison: You got to say yes.

Bongiorno: Sorry, Dean. Yes, Mayor and Councilman Bernt.

Bernt: Okay. All right.

Simison: Council, any additional questions for the applicant?

Bernt: Mr. Mayor? Councilman Bernt, I think we will take a recess before we get to public testimony. So, it's 8:13. Let's go ahead and just make it easy for everybody, 8:30 we will reconvene.

(Recess: 8:13 p.m. to 8:30 p.m.)

Simison: Okay. Council, we will go ahead and come back from recess. When we left we had finished up with our developer -- our applicant testimony presentation and questions. So, Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, we had no one sign up in advance.

Simison: Okay. This is a public hearing. If there is anybody either in the room or online that would like to provide testimony you may come forward at this time and be recognized for three minutes or if you are online use the raise your hand feature and we will bring you into the meeting for your three minutes. We do have someone on online. If you can state your name and address for the record. And that's for Amy.

Johnson: I hit the wrong button. She's coming in as a panelist, so --

Simison: Amy, you can unmute yourself and state your name and address for record.

Wattles: Hi. My name is Amy Wattles. I'm a resident at 1360 Rolling Hill Drive. Are you guys able to hear me okay?

Simison: Yep.

Wattles: Okay. I did want to state Mr. Wardle has done a really nice job with the development this weekend. I had an opportunity to go out and walk it and it's beautiful and, you know, as much as we have a love-hate relationship with that development going in, it's -- it's lovely. The one ongoing issue that we have had and we have talked extensively with Mr. Wardle and Planning and Zoning is concerning the construction traffic up and down Rolling Hill. My understanding at the last Planning and Zoning meeting the recommendation was made to -- part of the agreement would be no construction access on Rolling Hill Drive. So, as you guys -- if this project moves forward I'm asking that that contingency be part of any approval. My understanding talking with ACHD and talking with Sonya and Planning and Zoning, without that agreement in there that doesn't give residents any -- well, residents -- it doesn't give anybody any power or authority, I guess is a better word, to intervene and provide some support. Just to give you some context, if you all haven't read prior meeting notes or any of the communications, when we are talking about construction traffic on any given day, we are talking about over a hundred -- one day a resident counted 130 semis up and down a narrow rural road. One day I was turning in from Overland Road and almost -- there was a semi there taking up two-thirds of the road. As I turned in from Overland there was a parked car on the road and had to slam on my brakes to avoid a collision. We have had an elderly resident have to pull off the road as the semi came barreling down the road. Rolling Hill is a very straight -- straight road and the tendency is to want to speed and go as fast as you can and it's presenting some safety issues. We are reaching a place where I'm genuinely concerned. It's a nuisance. Absolutely. The dirt, the noise, our house is shaking as semis go barreling down the road are all cons issues, but I can't stress enough we have reached a point where safety is a genuine concern based on some things that have happened in the last couple weeks. So, I just ask that you include that provision that Rolling Hill not be used

as construction access. My understanding from ACHD is on that turnaround that will be marked with no parking signs to prevent the residents from parking there and just walking over there or construction workers to continue to access the road. I believe that's it.

Simison: Okay. Thank you. Council, any questions? Okay. Thank you, Amy. Appreciate your -- your comments. Is there anybody else that would like to provide testimony on this application at this time? It looks like we have another person online. A couple people online.

Johnson: Mr. Mayor, Pam Haynes. You are able to unmute.

Haynes: Hi. Can you hear me? This is Pam Haynes.

Simison: Yes, we can.

Haynes: My name is Pam Haynes. I live at 1235 Rolling Hill Drive. I have the property to the -- on the northern most point of the existing subdivision. I agree with Amy's comments on the construction traffic and I do believe that you take heed to that. Her figures are accurate and her statements are accurate. My comment is that we still don't have any real feel for how the cul-de-sac or turnaround will be placed and I have a very real concern, because I worry about people wanting to turn around in my driveway. So, I would really like to have some insurances from the developer that those -- that will be mitigated, that people won't be turning around in my driveway and I don't understand how having a turnaround south of my property is going to be a viable option. Thank you.

Simison: Thank you. Council, any questions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. Pam, this is Councilman Hoaglund. I wanted to make sure I understood your comment. You were on the northern end of that -- of Rolling Hill and -- but you are talking about people turning around south of you? I -- I kind of assumed that the turnaround was going to be up there against the boundary of -- of that and maybe Mr. Wardle can address that in his closing remarks. But if you could clarify and help -- help give me better insight on that, please.

Haynes: Yes, sir. My -- their -- my property is on the northernmost part of the remaining homes. The property line runs directly north of my property. The developer owns the house directly to the south on the west side of Rolling Hill. In his comments earlier he mentioned one of two options for the turnaround. One is to put it on that property just to the south of me. The other is to put it on -- apparently he has entered into some kind of negotiation, I have no idea what, with the neighbor to the east of me, Cedergren -- Christopher Cedergren. In my mind I don't understand how either one of these turnarounds would be optimal. To my mind it would be more optimal to have a turnaround

to the north of my property, but that would, obviously, displace his plans for the -- the high-density housing. So, basically, that leaves my driveway to the -- which is right adjacent to the northern edge of my property and directly to the south of the Rackham development, that's where people will just make it as an obvious place to just turn in and back out and turn around.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Hi, Pam. This is Council Member Cavener. Can you just clarify for me -- is your home west -- on the west side of Rolling Hill or the east side of Rolling Hill?

Haynes: Thank you. My home is to the west -- on the west side of Rolling Hill.

Cavener: Okay. Thank you.

Simison: Council, any additional questions for --

Strader: Mr. Mayor, just one quick one.

Simison: Council Woman Strader.

Strader: Thank you. Just to clarify and make sure, but you overall, just stepping back, are in favor of closing Rolling Hill to emergency access only to this development; right? Like you wouldn't prefer for there to be full access and have people able to turn around north of your property?

Haynes: That is correct. I am in one hundred percent favor of blocking off Rolling Hill, except for emergency access.

Strader: Thank you.

Simison: Thank you, Pam.

Haynes: Thank you.

Simison: Mr. Clerk, do we have one other person that raised their hand?

Johnson: Mr. Mayor, Mr. Blowers had his hand up, but now it's down and I guess if he wants to testify if he can raise -- he did. There we go. Mr. Blowers, you can unmute.

Simison: State your name and address for the record, please.

Blowers: Thank you. My name is Michael Blowers. I live at 1325 Rolling Hill. Just a quick clarification to provide more context and I -- someone can correct me if I'm wrong,

but part of the reason why this -- actually, probably the majority of the reason why this road is being closed is because ACHD provided verbiage stating that there is a 2,000 vehicle limit per day and this project would exceed that limitation. So, that's -- that was something that was provided after the continuance of the first Planning and Zoning meeting, came back and since that point plans have changed and -- and I think it's important to clarify that, because there -- there could be this idea that there is an alternative option with the current plans that maybe Rolling Hill could be used and -- and my understanding that isn't the case. So, I -- I hadn't heard that number thrown out. I wanted to provide that clarity. The second thing I just wanted to talk about -- I have been involved in these communications -- I have lived here ten years. It's been going on I think over five years. I'm -- I think we have seen this process moved this entire time -- and, yes, we expressed, you know, obviously, we want to stay in our homes, we like -- you know, like these properties. That, obviously, hasn't occurred since half the -- or almost half the neighborhood has now been demolished and, you know, we keep hearing that we are part of this future land use -- obviously, the city wants to do something with these properties someday. My question is -- is I don't really see the current residents -- and I know we all have different opinions, so I'm not going to speak for anyone else. I don't really see that, you know, developers coming and knocking on our doors. So, I don't -- I don't see that we have actually fought anything to this point. We haven't prevented or -- or fought, you know, any development. So, in the interim, you know, we would like to be able to live in our homes and, you know, at least have some semblance of what we originally bought into, which was a developed, dead-ended road, with no reasonable expectation that a horseshoe would be built around our neighborhood and so, you know, if the time comes that a developer does want to knock on the door, I'm -- I'm just here telling you all I'm not fighting it and a reasonable expectation, you know, I believe I'm a reasonable person and we would be willing to talk with people, but in -- in the meantime we want to be able to live in the safety of our own homes, be able to ride a bike on a street, not worry about getting smashed by a -- you know, a semi and we hope that at the very least City Council can see that while we -- yes, I -- I know that there is this element that we are in county and we are not Meridian, but that -- I do think it's important that there should be some level of humanity factored in on this decision. Thank you.

Simison: Thank you, Mr. Blowers. Council, any questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just to comment, Mr. Blowers. You know, I think that's a very valid comment and I -- and we are trying very hard as the city develops to take into account the importance of having good neighbors and transition and so, you know, I think we take that comment to heart. I don't think anyone sees you as being totally opposed to development or anything like that, I think it's just, you know, we are -- clearly there is a consideration of closing Rolling Hill for emergency access only in the hopes of protecting your part of the neighborhood from all that traffic and some of the poor effects of having that next to you. It's a little tricky, because you are located right next to I-84, but we are definitely going to

do the best that we can and I just wanted to say that I think we empathize with your comments.

Blowers: Thank you.

Simison: Thank you very much. Is there anybody else that would like to provide testimony on this application at this time, either in the room or online? Seeing no one, would the applicant like to come forward for final comments.

Wardle: Mr. Mayor, Council, again, for the record Jon Wardle, 2929 West Navigator, Meridian, Idaho. 83642. I appreciate the opportunity to -- to stand back up and talk through and just clarify and just address a couple of things that were brought up by -- by those three neighbors who I have -- have met with each of them or spoken with them or e-mailed with them a bit over the last 60 days or so. So, I definitely want to be respectful of their -- of them and their property. That is the reason we -- after the first Planning and Zoning Commission meeting and the question came up was like do you need it and so we went back and we -- we analyzed it and ACHD -- we worked with them as well to make sure that we were coming up with a solution that would be better than the alternative, which was using Rolling Hill. I do want to restate our position that we do intend to close Rolling Hill Drive. The location of the -- the roundabout -- or not the roundabout, but the cul-de-sac, it is to be -- still to be determined. We -- our preference is to keep it south of the property line. You can imagine if it is coming up onto our property and there is not access to and through, people will be coming up there and circling back around and so if we can keep it south of the line and put up an appropriate barrier and barricade there -- ideally we will be able to work out something with the property owner to the east and if we can't we are aware that Pam is concerned about people turning around in her -- in her driveway and that way we would put it to the south, no parking signs and do our -- you know, everything we can and we will work with her as well to come up with a design that -- that shortens an already dead end road. Rolling Hill stops at the freeway. It doesn't -- there is no connections anyway. It doesn't go anywhere and so we are just trying to pull that back and -- and address the other issue, which is traffic construction and make that work. We do feel that the -- the request for annexation, the rezone, the preliminary plat, these do fall within the vision of the city. I -- I understand what staff is saying. You know, ideally we would be starting from Overland Road and working our way north and, unfortunately, we are -- we are not doing that. We don't have ownership of those properties, but we feel like we do have a very good solution long term for transportation and we can do that by closing Rolling Hill at this point. At some point in time there will be another discussion that occurs on how Rolling Hill does connect. We are -- even though we are going to create a cul-de-sac at the end of it, south of our property, there will be a point in time where we need to have that conversation as that area redevelops and we -- we would like to see that that connection be made. But the timing has to be right for that. As for the -- the project as a whole, we are aware of the things that -- that this Council hears from time to time and, you know, the -- and as it relates to multi-family, parking and -- and amenities and things like that. I -- I will, again, restate our -- our desire to create a premier project here that's not just get in and get out. The amenity package is thoughtful. The mix of units is thoughtful. The overall circulation for pedestrians -- we have looked



at the whole thing. We -- we do have projects that do have studios without balconies. You know, your staff is opening up that door for the UDC to -- to review that. I think there is an opportunity to look at that. I don't know that there is a reason that there is, in the UDC, a requirement that every unit, regardless of the size, have 80 square feet. That's what the code says and that's why we have been asking for alternative compliance. There -- there is another jurisdiction just to the east of you who -- who have used the combined community outdoor space and community facilities, much more important than perhaps that private space from the social connection and when we do the UDC meetings we are going to bring and talk about that. But as for this project we want you to review it on the merits of the project. We ultimately have -- have made the -- the decision and we feel like the quality of life actually will be enhanced as an overall project as a whole. Again, we -- we are looking forward to, again, bringing more residential to locations where we have a concentration of business and I think this is -- it's the right location and it's -- we have worked on this design several times, you know, and looking at all the unit mix and feel like this is -- this is appropriate for this location. In conclusion, I -- we just would ask that the -- the Planning and Zoning -- or the City Council take the recommendation from the Planning and Zoning Commission and approve it, with the exception or the note of waiver of that Ridenbaugh Canal piping and we also ask that you approve the project with the -- the site plan and the information we provided without modification to the private open space and to the parking. And just to note, we -- we aren't asking for a reduction of parking for the units. We -- we have actually met that parking standard. We are just -- you know, we are tweaking a little bit the -- the parking requirements for an ancillary use, which is for the use of the residents. Again, we -- we asked for your approval for these projects and I stand for any questions you might have.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just one more. So, with Rolling Hill closed you are putting so much emphasis on Silverstone -- if -- and let's hope, right, that your project is wildly successful, there are a lot of tenants. If you get to a point that you do notice that you have an intractable traffic problem, do you have any ideas about future alternatives that don't involve Rolling Hill? Is there any -- you know, maybe something that -- I'm not really clear on exactly what that L-shaped building is that's sort of to the east of you. I mean is there any other way for you to get an outlet for traffic down the road if you find that this is really successful and you do have a huge problem on your hands that's not easily fixed?

Wardle: Mr. Mayor, Council Woman Strader, in terms of access, there aren't any roadways to the east. We have the Ridenbaugh Canal and the way that those homes were designed I mean it's a long road, but there were no roadway connections intended to come across the Ridenbaugh Canal. Not looking at Rolling Hill as an option, then, the next best alternative is to look to see if there is a way to -- to move to the east parallel to the Ridenbaugh and on our side and get down to where that future signal would be across

from -- from the Movado Subdivision community there where that -- where ACHD intends to be a signal. So, that's -- that's the next best alternative, which would not put any transportation or trips onto Rolling Hill Drive. It would basically be a stand-alone collector-type road. So, that's something that we will evaluate and look at and that would -- we would have to look at some point in the future to see if we need to do that. But that, again, would require us to -- to work with residents there and -- and make that happen.

Strader: Thank you.

Simison: Seeing no more questions at this time, you are welcome to sit down, but keep your legs rested for getting back up.

Wardle: Thank you.

Hood: Mr. Mayor?

Simison: Yes, Mr. Hood.

Hood: You probably all are aware of this, but I do want to reinforce it or -- or disclose it and not just to you, but maybe those that are still online or in the audience. So, really, two issues, right, with Rolling Hill. The construction traffic and, then, short-term closure emergency access and, then, the long-term vision for circulation in this area. I really just want to address first DA provision 1-H does prohibit construction traffic. So, that is in there, just to kind of address that. The thing I really want to disclose, though, is enforcement is going to be tough and that's part of the development agreement. So, we can't even enforce it until or if the development agreement's signed and it's annexed in the city. This isn't in the city right now. There is nothing for us to enforce. So, you know, Mr. Wardle I think did a fine job and was honest about it's going to take some time. So, it's not like tomorrow construction traffic is going to stop. So, I just want everybody that may be listening to understand that -- that short of us putting a police officer out there and signs -- I don't know what signs are going up, but enforcement is going to be tough and I trust that the developer will do the best they can to educate all their contractors, don't use it, don't use it, don't use it. It's going to happen and I don't know if we are going to be able to write any tickets, just to be honest. So, we have had these things before and it's -- so, again, just being frank, that you can call and complain, there is just not a lot we have in our toolbox to do what then? If someone uses it for construction purposes we are going to de-annex the property? I mean we -- we don't have anything in our toolbox. I just wanted to be frank and open and honest that sounds good, looks good, we can point to it and say please -- and, again, I trust the developer will do the best they can, but they aren't driving the truck and it happens and so I just want to be, again, real with that and we will hope for the best, but there is probably going to be some construction traffic and if it's happening now, it's -- it -- we don't have a provision that says TopGolf can't use that for construction. Again, they control some of that and can ask. We don't have an enforcement arm. So, just -- just -- I won't belabor that anymore, but it's -- it's a little frustrating. It's a great solution, but there is going to be a little bit of a lag time in there and -- and it could be a long-term problem.

Simison: About the timing of those bollards.

Wardle: Mr. Mayor, to I guess provide a little bit more color to what our intent is, our intent is to get that road closed as quickly as possible. That would happen prior to us commencing any construction on our site. Related to the other contractors that have been using the site, we have -- we have had conversations -- recent conversations over the last few days with the contractors that have been servicing TopGolf and the other office building out there and they know that Rolling Hill is not an option anymore. Mr. Hood is correct that sometimes that information doesn't get all the way to the end of the row. We -- this is a theme that pops up from time to time when new phases happen in development and we will do everything we possibly can, but the key for us is get it closed, get it bollarded, get it signed and fenced off, so that it -- it doesn't become an access. It only takes, you know, one or two people to go down there and realize they have nowhere to go and -- to not have that happen again. But we will -- I had sent an e-mail over to one of the residents today on kind of our thoughts on signage that would be very prominent, but also in the -- within the right-of-way, but in a way that it could be seen in multiple locations, so that we are -- we are trying to nip this as quickly as possible. So, again, we are talking probably a couple of months to come up with a final solution, but I hope and I'm sure I will hear if it's not the case, but I hope that we have been able to stymie or stop the majority of the construction traffic that has been, candidly, a nuisance for the neighbors over the last 45 days or so.

Simison: Question for the deputy chief. Where is the current fire department turnaround on this road?

Bongiorno: Currently there isn't one.

Simison: I -- I assumed that was the case. So, if the bollards -- the road was closed day after tomorrow before even a turnaround could be designed, it really has no different impact on your current ability to service on that road.

Bongiorno: That's correct. So, if -- if that matters to Council, before they can get the issue resolved at least it would prevent that sooner rather than later. I mean, quite frankly, put a semi-trailer across the road so you can't drive by it and have the same effect, but -- anyways, just wanted to clarify that there is not a current fire department turnaround access on that road that would be approved.

Bongiorno: No. Mr. Mayor and Council, it got wiped out when the whole -- it was down at the end. There was a turnaround there and it's now disappeared, so -- and also since I have your attention, Jon and Mike both have been in contact with me showing their -- their thoughts on the turnarounds and I have seen what they are proposing and I think, you know, kind of like with what Caleb's been saying, we can come to something that will work for the turnaround to make it happen, either if it's at the very end or if it's at that 183 foot point closer to Overland we can make it work to where it -- it will work for the -- the fire department and the property owners that will be past that point. So, we will still have

access to their property and they will still have access to their property and yet it will be closed off to where you won't get the -- the through traffic going through.

Simison: Thank you. Caleb, did you have another point that you would also --

Hood: Not necessarily a point, Mayor. I appreciate it. Just that the right-of-way is still there, so there should be a cul-de-sac at the end of Rolling -- and I haven't been out there and you guys have, so maybe it's got dirt all over it or whatever. But there used to be pavement and a cul-de-sac at the end of Rolling Hill Drive. Maybe that's been demoed with the rest of the homes. But, you know, it's still public right-of-way. If I want to drive out there right now I should be able to go down there and turnaround.

Simison: Duly noted.

Wardle: Mr. Mayor, if -- if we can get the support of the city and for that also working with ACHD as we work through the ultimate vacation of the right-of-way to the north to get that closed sooner than later without perhaps putting in a turnaround at this point in time, I mean we are -- we are willing to step up and do that. We -- we are trying to balance the -- you know, the -- minimize the construction traffic, but also ensure that there is not a life safety issue and that's why, you know, that turnaround is -- we have noted that, but if there is an interim solution that we could all agree on that could allow that to happen sooner than later, that would be a much quicker solution.

Simison: Just information for Council and the practical realities of the current situation versus lower base width, so --

Strader: Mr. Mayor?

Simison: Councilman Borton.

Borton: Kick off some thoughts after hearing the presentation and some of the comment from the public. I think the project's really well designed from the mixed use regional and the comp plan, zoning this R-40 and C-G as presented I thought -- and I appreciate the applicant switching to R-40. It did seem to fit more in reading what got us to today. So, I think that fits really well as well. The -- those outstanding issues for me aren't a concern. I think the -- keeping the Ridenbaugh open -- we have done that in a variety of places for the same reason. So, that seems to be appropriate to me as well. The parking solution -- I think the nine spots up on the north -- I understand that. Quite frankly, I don't think they will get used. I think the parking that's adjacent to the pool will garner all of the overflow, I guess, or the additional visitor traffic perhaps. I don't see the way this is designed -- realistically folks aren't driving to the pool. They will walk to it. It's designed very well to try and encourage everyone to do so through the interior, so that wasn't a concern to me and nothing in the presentation changed my mind on that. I appreciate the applicant's remark with regards to annexing the out-parcel to the north by a date certain. Take a one year time frame if that works for the applicant, just so long as there is a trigger to make sure that gets cleaned up and doesn't get left aside and I think the --

the request for a waiver of the private open space here made sense. The finding in the staff report that talks about alternative compliance provides an equal or superior means for meeting the requirements and -- and I think that's been met with the amenities that are provided, the manner in which they are designed and located the superior quality of them to me outweighs the loss of that limited private open space in the studio, so I thought the applicant's request for alternate compliance is appropriate as well. So I would be supportive of that. Those were the outstanding issues that I catalogued from the discussion. So, that being said I'm supportive of the requested zone, the CUP and the alternate compliance as requested, as well as the other conditions I have stated. So, I appreciate the applicant's work on it. I just think it's a well-designed addition to the city.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. Just a few thoughts. You know, it's interesting when we talk about parking, sometimes we throw out examples what happens on Thanksgiving, what happens on Super Bowl Sunday, those times you are going to have people over and, you know, all these extra folks -- actually, there is a lot of parking there to the north. I mean it's one of those places where there actually is overflow parking available, because there is no one working there on weekends or Super Bowl Sunday that sort of thing. So, it's one of those nice times where that kind of -- kind of fits for -- for that sort of thing. Mr. Wardle referenced this. I think the future will include the property going to the south. I -- I don't know when that's going to happen. It's just a matter of the timing and as development moves this is a regional area that -- which we have planned for. We want it to be a regional area. Mixed use. And it's -- it's coming to fruition and -- and we have seen it elsewhere where, you know, one acre residential properties or acreages that were out in the country at one time are no longer in the country and now they are surrounded and -- and it's just a matter of property owners deciding when that -- when they want that to happen and, then, the negotiations begin. As to the open space, I also agree we were talking about 48 units, which I think I saw was 12 percent of the development. If you are not a very social person that's not something you will want to rent. If you are a social person this is going to be a great place. There is -- there is -- there is lots of things and as I weighed the comments from Mr. Wardle on my mind about, you know, is this setting precedent, different things. It really is going to be a case-by-case basis. I don't know if we can go hard and fast on -- on everything. This is exactly what happens if you have a studio apartment and you don't have private space, then, you have got to provide these amenities. I think it's one of those things that we will let the developer make their case and they have to convince us if we think, hey, that is really nice, we can see that working there. We know a lot of urban areas that they don't have those outside balconies or patios. That's just the nature of downtown and it is hard to adjust that thinking for Meridian, because we have this picture of Meridian still being small town and -- and we are changing. But even though -- I must say as we are changing we want it to change for the better. So, things like these types of amenities are -- are very very important. I think the Mayor hit upon a very good solution for closing that street sooner. I -- I -- listening to the residents out there. I feel for them. That's a lot of truck traffic and if there is a way

we could make that happen without any liability to the -- to the city, Mr. Nary, I -- I would like to see us pursue that if -- if -- if possible. There is no turnaround now. What's the harm, but that's for -- for those risk -- risk people to -- to discuss. So, yes, Ridenbaugh Canal, keep it open. That 14 foot strip having a time frame of say a year to -- to get that under contract, so it's annexed, it's part of C-G and that -- that fits. I think we can -- we can see that. It wasn't going to be of any use anyway. I think it was going to be in the freeway right-of-way and it can't be developed, so we don't need to see any -- any easement or access to -- to that point. So, I think those are kind of my main thoughts on that that go with both these and -- and, Mr. Nary, question. I -- I assume we are going to have to act on each one individually; is that correct?

Nary: Yes, sir.

Hoaglun: Okay.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Mr. Mayor, thank you. And this is -- I have really enjoyed the dialogue this evening and I have really enjoyed the presentation. Well done. Thank you, Jon. I -- I don't think that -- I never want to speak for everyone, but I -- I would venture to say that as a Council we always try to listen to the neighbors. You know, the neighbors and -- of these developments -- any development I guess for that matter. Their opinions matter and I -- I think that they have been -- I think it's -- I think is crystal clear what their main concern is and that's the construction traffic. I didn't hear anything about the development itself. I didn't hear anything about the big buildings. I didn't hear anything about, you know, the height and people looking into backyards. I think everyone knows what's going to happen to this area in the future and so I really appreciated the neighbor's comments. I wanted to thank the -- the three people that testified this evening. I do believe -- and I mentioned earlier in my comments, I do believe in -- you know, I guess you can call it horse trading when it comes to, you know, hey, we are not going to do this, but we are going to provide this and I think that, you know, looking at that as a case-by-case basis is really important. I don't believe that we are setting a precedent of anything. I just think that, you know, having a developer think outside the box and do something that's a little bit different than code, but coming up with a solution to why -- and a vision of why, you know, what -- whatever they ask is and so I appreciate the applicant explaining that. Other than that, I -- there is -- my fellow Council Members have spoke this evening about the other talking points that have been discussed and I'm not in disagreement with them. So, I will just cut it there. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. Well, I appreciate -- I just wanted to thank the city planning staff for providing a lot of information directly about the West Ada School District data and that's been an ongoing issue that I have continued to grapple with. I think this development locates apartments in a place that makes sense in a transportation corridor. I feel like the unit mix is geared toward urban professionals and folks that are going to live and work in this area. I think that makes sense. I don't think it will contribute dramatically to the overcrowding in the school system. I have done some work on that and I look forward to continuing those conversations on kind of a higher level and I definitely think in five years we may have a more acute situation districtwide, but I will save that conversation for another day. I don't -- from the data that I have received in the last two weeks I don't think that it is a currently dire situation. I think that it's something that's going to take place in the next four to five years. So, I don't have that hurdle so much on this particular development. I am concerned about the over reliance on Silverstone Way. However, I do believe that it could be mitigated by the applicant in the future if their development is successful through acquiring additional right-of-way. I do think holistically that closing Rolling Hill Drive is the right thing to do. I do want to make sure that it can be opened up again maybe in 30 years or whatever time frame that it makes sense. It sounds like it can be. I think it's well designed and I agree with the rest of Council's comments. I think overall I'm not so hung up about the open space attributed to each unit. To me this makes sense for a more urban style apartment building. Given its location and the amenity package I wasn't hung up about that. Overall I'm supportive. I think it makes sense. I do want to just state, as the applicant has said, that they will really work on the pedestrian connections and making sure that that's safe and that it's in a thought out way. I think a lot of Council had that same comment, so, hopefully, you will take that to heart and really make sure that those connections and integration make a lot of sense. I guess those are my final thoughts.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I will be fairly brief. I agree a lot with what my colleagues have said and, frankly, this is going to be a great development. This is a place if I was in workforce housing or wanting to live and work in the same location, I think this is going to be great. You guys aren't going to have any issues with meeting the demand. I think people that are going to want to live here. For me the issue is the over reliance of Silverstone and, Jon, in your presentation you talked about timing and I think one of the things that your organization does almost as good, if not better than anybody is, you address the concerns early on. We heard that with the neighbors here tonight. When I look at this development there is -- out of a hundred things you got 99 knocked out of the park. Without a path forward to how to address the traffic that's going to be your future tenants, it's just not a project that I can get around. It's not that I don't support it, I just don't think that I can support it tonight. So, I will be voting in opposition. That said, I appreciate the work that you did engage with the neighbors, true to brand, and I think this will be a great project reading the tea leaves kind of where Council is tonight, I look forward to attending the grand opening and

wishing you well on your success. I just don't think that now is the right time for this particular project.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. I also agree with a majority of what my fellow Council has stated in support of the project. I have less of a concern about Silverstone. The Silverstone Road itself as a -- as much as I do Overland and -- and already seeing where Overland backs up from the Eagle Road intersection way past Silverstone in those westward -- you know, westward moving lanes there, it's regularly back -- so, I don't even know how people are going to turn right out of Silverstone heading west on Overland, because that already backs up so far. So, that's -- that's my concern as far as -- as the flow of traffic goes. Less -- less so on Silverstone Way itself. However, if ACHD believes that it can be accommodated then -- then we have to trust their analysis on that, so -- one thing I would say that -- is that -- as we discussed -- we, as Council, you will hear from a lot of neighbors and in a project this size in this location oftentimes we will have a lot of public testimony and a lot of neighbors coming to these hearings and I think it is -- it is a -- it does say a lot about how the applicant has handled the concerns of the neighbors that we don't have a large group here that we didn't have a lot of public testimony. That indicates to me that the applicant has done quite a bit of outreach and I'm just really thankful for that, because we do want the neighbors to be taking care from a safety standpoint for sure and so thank you for -- Jon and Mike, thank you for working well with the neighbors in that area and that's just really appreciated, because we have had a lot of -- a lot of challenging applications where we haven't been able to resolve these concerns as well as you all have -- have attempted to do that. So, I just wanted to say that. Much appreciated. As far as the specifics, I -- I think my Council members have -- have stated it well. I'm in agreement with waving the Ridenbaugh Canal. In agreement with -- with the -- you know, the timing of the north boundary. The parcel to the north. So, all of those issues I feel like have been resolved well.

Simison: Thank you. Caleb, just one quick question. What year is the Eagle-Overland intersection, in theory, to be improved, just out of curiosity? Is it -- I know it was delayed recently.

Hood: Mayor, if you will give me 60 seconds I will look it up.

Simison: It's just -- just so the community is aware, because that will alter what we currently see, but also will -- TopGolf will alter what we currently see and the other two buildings going in Silverstone and El Dorado. I just couldn't remember -- I couldn't remember if it was delayed by multiple years or just one year.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.



Hoaglun: I think I have found that, Caleb. The intersection of Overland Road and Eagle Road is scheduled in the CIP to be widened to seven lanes on the north and south legs and eight lanes on -- on the east and west legs and reconstructed, signalized in the future, design year is listed as 2025 in the five-year work plan and is listed to be improved between 2031 and 2035. And let's see. Overland is also listed in the CIP to be widen to seven lanes from Eagle Road to Cloverdale Road starting 2036. And intersection of Cloverdale and Overland, which is towards the east side, it's widened to seven lanes and that is 2020 --

Simison: Okay. Thank you, Mr. Hoaglun. Appreciate that. So, in a couple years I'm going to be able to say I remember when Overland Road was a one lane road going in each direction, because I do.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: If there is no additional discussion I move we close the public hearing on H-2021-0075 and CR-2022-0001.

Cavener: Second.

Simison: I have a motion and a second to close the public hearing on H-2021-0075 and CR-2022-0001. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearings are closed.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: A Couple of thoughts to share. I have a suspicion -- sneaking suspicion that the -- that urban apartment complexes don't have as many patios because they don't want to smell the exhaust. So, maybe this is a health benefit to everybody that will be living next to the interstate. As for the redevelopment of that county property to the south, you know, until we -- until all of our empty spaces are built out I don't -- I don't anticipate those kinds of developments being purchased and torn down and rebuilt and that's just so many years out. We still have so much ground that's empty still to fill up. So, my anticipation is that it's going to be a really long time before any of that were to be developed.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I heard what Legal had suggested that we break these up. Is it the annexation and plat as one or can I lump the CUP with that or do the CUP and the -- and the alternate compliance.

Nary: So, Mr. Mayor, Members of the Council, Council Member Borton, I would do 15 and, then, 16.

Borton: Okay. Mr. Mayor?

Simison: Councilman Borton.

Borton: As to CR-2022-0001, I move that we grant the request for alternate compliance as proposed and presented by the applicant as of today's hearing date with regards to private usable open space for each unit.

Hoaglund: Second the motion.

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.

**MOTION CARRIED: ALL AYES.**

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: And with regards to H-2021-0075, move that we approve that application as presented in the -- by the applicant and consistent with the staff report of today's date and that approval would include additional conditions, noting that the waiver requesting the Ridenbaugh Canal to remain open as presented would be granted. That the applicant from perhaps one year from signing the DA and I look at Legal to nod. One year from signing the DA to submit a complete application for the annexation of that out-parcel sliver to the north to be annexed and zoned C-G within one year from that DA being signed and that -- is that -- I think this application also had -- perhaps with the CUP -- the alternate compliance for the open space and the -- and the parking as well that was presented by the applicant is also approved as part of this application. I think that covers it.

Nary: Rolling Hill.

Hoaglund: Second the motion.

Nary: Mr. Mayor?

Simison: I have a motion and a second. Is there discussion or comments from Legal?

Nary: Mr. Mayor, Members of the Council, I didn't hear Rolling Hill about closing that.

Borton: What's that?

Nary: Closing Rolling Hill.

Borton: Oh. Yes. Including the discussion and commitment to close Rolling Hill as presented.

Hoaglund: Second agrees.

Simison: Thank you. I have a motion and a second with an addition and an agreement. Is there further discussion on the motion? If not, Clerk will call the roll.

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

Simison: Five ayes, one no, and the items are agreed to.

MOTION CARRIED: FIVE AYES. ONE NAY.

## **ORDINANCES [Action Item]**

- 17. Ordinance No.: 22-1967: An Ordinance (H-2021-0026 – Hatch Industrial) for Annexation of a Parcel of Land Being All of Lots 8 and 9 of Heppers Acre Subdivision as Recorded in Book 19 of Plats at Pages 1298 and 1299, Records of Ada County, Said Parcel is Located in the Southwest Quarter of the Southwest Quarter of Section 12, Township 3 North, Range 1 West, Ada County, Idaho, and Being More Particularly Described in Attachment “A” and Annexing Certain Lands and Territory, Situated in Ada County, Idaho, and Adjacent and Contiguous to the Corporate Limits of the City of Meridian as Requested by the City of Meridian; Establishing and Determining the Land Use Zoning Classification of 1.593 Acres of Land from RUT to I-L (Light Industrial) Zoning District in the Meridian City Code; Providing that Copies of this Ordinance Shall be Filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as Required by Law; and Providing for a Summary of the Ordinance; and Providing for a Waiver of the Reading Rules; and Providing an Effective Date**

Simison: Thank you very much. Have a good night. Or for those who would like to stick around for the ordinances you are welcome to stay. There we go. Love it. With that we

will move on to Item 17, Ordinance No. 22-1967. I will ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance related to H-2021-0026, Hatch Industrial, for annexation of a parcel of land being all of Lots 8 and 9 of Heppers Acre Subdivision as recorded in Book 19 of Plats at Pages 1298 and 1299, Records of Ada county, said parcel is located in the southwest quarter of the southwest quarter of Section 12, township 3 North, Range 1 West, Ada county, Idaho, and being more particularly described in Attachment "A" and annexing certain lands and territory, situated in Ada county, Idaho, and adjacent and contiguous to the corporate limits of the City of Meridian as requested by the City of Meridian; establishing and determining the land use zoning classification of 1.593 acres of land from RUT to I-L (Light Industrial) Zoning District in the Meridian City Code; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing for a summary of the ordinance; and providing for a waiver of the reading rules; and providing an effective date.

Hoaglund: Mr. Mayor?

Simison: Thank you. Council, you have heard this ordinance read by title. Is there anybody that would like it read in its entirety? Seeing none, do I have a motion?

Hoaglund: Mr. Mayor, I move approval of Ordinance No. 22-1967 with suspension of rules.

Perreault: Second.

Simison: I have a motion and a second to approve Ordinance No. 22-1967 under suspension of the rules. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the item is agreed.

MOTION CARRIED: ALL AYES.

**18. Ordinance No. 22-1968: An Ordinance Amending Meridian City Code as Codified at Title 11, Pertaining to the Dimensional Standards for the Residential Districts in Chapter 2 and Landscape Buffers Along Streets Standards in Chapter 3; Providing for a Waiver of the Reading Rules; and Providing an Effective Date**

Simison: To next item up is Ordinance No. 22-1968. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. This is an ordinance amending Meridian City Code as codified at Title 11, pertaining to the dimensional standards for the residential districts in Chapter 2 and landscape buffers along streets standards in Chapter 3; providing for a waiver of the reading rules; and providing an effective date.

Simison: Thank you. Council, you have heard this ordinance read by title. Is there anybody that would like it read in his entirety? Seeing none, do I have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 22-1968 with the suspension of rules.

Hoaglund: Second the motion.

Simison: I have a motion and a second to approve Ordinance No. 22-1968 under suspension of the rule. Is there any discussion? If not, all those in favor signify by saying aye. Opposed nay? The ayes have it and the ordinance is agreed to.

MOTION CARRIED: ALL AYES.

### **FUTURE MEETING TOPICS**

Simison: Council, anything under future meeting topics or do I have a motion to adjourn?

Hoaglund: Mr. Mayor, I move we adjourn.

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

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 9:27 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

\_\_\_\_\_  
MAYOR ROBERT SIMISON

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

ATTEST:

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