

A Meeting of the Meridian City Council was called to order at 6:09 p.m. Tuesday, May 23, 2023, by Mayor Robert Simison.

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

Also present: Chris Johnson, Bill Nary, Bill Parsons, Sonya Allen, Stacy Hersh, Scott Colaianne, Jordan Reese and Dean Willis.

ROLL-CALL ATTENDANCE

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

Simison: All right. Council, we will call the meeting to order. For the record it is May 23rd, 2023, at 6:09 p.m. We will begin this evening's City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: Next up will be our community invocation, which this evening will be delivered by Pastor Troy Drake. If you would all, please, join us in the community invocation or take this as a moment of silence and reflection. Pastor.

Drake: Mr. Mayor, Council Members, would you join me? Lord God, we just appreciate this beautiful place that we get to live in and your grace upon us and, you know, our heart just breaks for those who are going through difficult times and we appreciate that you are always just as close as a prayer and so we appreciate that about you, God, that you are always inclining your ear towards us and so, God, I just lift up our -- our city, especially thinking about the citizens and that, you know, we would just treat one another with respect and kindness here and continue, you know, what's been -- what's been already -- the foundation that's been laid here in this town and, Lord, that you would just bless the work of our hands here. God, we pray for the -- those who protect us, the first responders, those who come to our aid when we need help and we just ask that you would protect them as they do and -- and, God, I'm also thinking about

everything that happens in this building. And we just appreciate all the thought and planning that goes into the buildings that we walk in and out of all the time, Lord, that they are safe. It's not that way everywhere and we just appreciate that it is here and that these folks do that hard work for us and that you would bless them and, then, last, but not least, God, I just ask that you bless this Council meeting, the Mayor and Council Members, the decisions they make, that you would just give them a lot of wisdom and grace as they, you know, tackle the small and big decisions here. So, we just thank you for them and asked that they would prosper. In your name we pray, amen. Thanks for the opportunity.

Simison: Thank you.

ADOPTION OF AGENDA

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

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

Overton: Second.

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

MOTION CARRIED: ALL AYES.

PROCLAMATION

1. Older Americans Month Proclamation

Simison: First item up will be a proclamation for Older Americans Month. Raul with the Area 3 Senior Services Agency, if you want to join me at the podium for this proclamation. So, we are going to be celebrating Older Americans Month this month of May. Raul reached out and asked us if we would do a proclamation this year. So, I will go ahead and read the proclamation and, then, turn it over to you for any additional comments that you would like to make in this regard. So, whereas every May the Administration for Community Living leads the nation's observance and celebration of Older Americans Month, OAM, and whereas the 2023 theme is Aging Unbound, which offers an opportunity to explore diverse aging experiences and discuss how communities can combat stereotypes and whereas the City of Meridian includes 26,690 older Americans, which is 21 percent of the city population who contribute their time, wisdom and experience to our community and whereas communities in Idaho benefit when people of all ages, abilities and backgrounds have the opportunity to participate and live independently and remain engaged and included and whereas the City of

Meridian recognizes the need to create a community that offers the services and supports older adults may need to make choices about how they age. Therefore, I, Mayor Robert E. Simpson, do hereby proclaim May 2023 as Older Americans Month in the City of Meridian and encourage all citizens to celebrate our older citizens, help to create inclusive society and accept the challenge of flexible thinking around aging. So, thank you and I'm happy to present this to you, Raul.

Enriquez: So, we -- we are here in Meridian. I'm at the Southwest Idaho Area Agency on Aging. We have multiple senior services programs. We just wanted to take this opportunity to reach out and recognize the older population. If you go to southwestidaho3ssa.com you can see all our programs and services that are there. So, thank you.

PUBLIC FORUM – Future Meeting Topics

Simison: Okay. Next up is public forum. Mr. Clerk, did we have anyone sign up?

Johnson: Mr. Mayor, we did not.

ACTION ITEMS

2. Public Hearing for Crowley Park Subdivision (H-2023-0006) by Riley Planning Services, located at 4135 W. Cherry Ln.

- A. Request: Annexation of 1.002 acres of land with an R-8 zoning district.
- B. Request: Preliminary Plat consisting of 5 residential building lots (including one existing home to remain).
- C. Request: Alternative Compliance.

Simison: Okay. Then we will go into Action Items. Item 2 is public hearing for Crowley Park Subdivision, H-2023-0006. We will open this public hearing with staff comments.

Hersh: Good evening, Mayor and City Council. The applicant is here to present their project for the Crowley Park Subdivision. The applications that were submitted were annexation and zoning, preliminary plat and alternative compliance, which doesn't require Council action and I just wanted to note that the project was denied at the City Council hearing on April 6th. The site consists of 1.002 acres of land, zoned R-1 in Ada county, located at 4125 West Cherry Lane. There is no history on the -- for the project. The comprehensive FLUM designation is medium density residential and the summary of the request is -- this is an in-fill project. The applicant is proposing for annexation of 1.002 acres of land with an R-8 zoning district, preliminary plat consisting of five residential building lots, including one existing home to remain, and one common lot and three alternative compliance requests at a gross density of 4.99 units per acre,

which is within the desired density range of the medium density residential designation for Crowley Park Subdivision. The proposed development offers lot sizes ranging from 4,011 square feet to 5,768 square feet, with the existing home on 9,744 square feet. Single family detached and attached homes are listed as a principal permitted use in the R-8 zoning district per the UDC. Future development is subject to the dimensional standards in the UDC for the R-8 zoning district. An existing home on the property is proposed to remain on Lot 1, Block 1, and is required to connect to city and water services within the 60 days of it becoming available. The outbuildings located on Lots 2, 3 and 4, Block 1, should be removed with the development of this property and there are three alternative compliance requests. The first one is for the common driveway shall serve a maximum of four dwelling units. In no case show more than three dwelling units be located on one side of the driveway. The applicant is proposing five dwelling units take access off the common driveway. All five dwelling units are also located on one side of the driveway. Alternative compliance to the common driveway standards is requested due to the lot only having access from an arterial -- arterial roadway. There is no local street connection available to this site and based on the analysis the director is supportive of the request for alternative for the proposed five dwelling units taking access off the west side of the common driveway. And the next -- number two all alternative compliance request is the existing home does not meet the required number of off-street parking spaces per the UDC. For a three bedroom home four parking spaces are required, at least two in an enclosed garage. Other spaces may be enclosed or a minimum of a ten foot by 20 foot parking pad. The existing home does not have an enclosed two car garage. However, the required number of parking spaces is provided via an existing attached carport and driveway. Based on the analysis, the director is supportive of the request for alternative compliance for -- for the existing carport, with the addition of the Hardie board to match the existing house. Off-street parking is required to be provided in accordance with the standards listed in the UDC for single family dwellings based on the number of bedrooms per unit. Staff will confirm -- confirm compliance with these standards at the time of the building permit submittal for each residence. The applicant has provided an additional three parking stalls at the end of the common drive on the southeast side of the site for overflow parking. Landscaping. A 25 foot landscape buffer is required to west -- along West Cherry Lane in accordance with the UDC. Alternative compliance to the landscape buffer width is requested due to the front porch on the existing home encroaching more than two feet into the required landscape buffer. Based on the analysis the director is supportive of the request for alternative compliance with staff's recommendation to modify the plans. The applicant has submitted a revised landscape plan that looks to meet the UDC standards. In response to the Commission's concerns regarding the alternative compliance, the amount of numerous alternative compliance requests, staff has suggested utilizing the water conserving design specified in the UDC to eliminate one of the alternative compliance requests. This design allows for a potential reduction of up to 50 percent of the street landscape buffer. The applicant may intend to utilize the landscape design and propose a reduction of five feet to the buffer to accommodate the encroachment of the porch. Staff recommends that the -- that this condition be added to the staff report for the applicant to submit a revised landscape plan if they so choose to pick the water conserving design that adheres to the -- that design stated in the UDC

with the final plat submittal. Access is proposed from West Cherry Lane from common drive Lot 2, Block 1. Direct -- direct lot access from West Cherry Lane for Lot 1, Block 1, is prohibited. The interior Lots 3, 4, 5 and 6, Block 1, are proposed to take access via a common drive to West Cherry Lane, meeting the street access requirements. Common open space and amenities are not required for properties less than five acres in size. And building -- conceptual -- one conceptual building elevation was submitted that demonstrates what future homes in this development will look like. Variations of two-story homes with a two car garage are proposed. The submitted elevations depict field materials of lap siding, different coloring accents, roof profiles and stone. The final design of the structure is required to comply with the design standards in the Architectural Standards Manual. Commission did recommend denial. In favor of the project was Penelope Constantikes. In opposition was none. Commenting was Penelope again. Written testimonies. None. Key issues were none. Discussion of key issues by Commission was concerns with the amount of density proposed on the one acre lot. Concerns with emergency services ability to gain access in and out of the property. Not in agreement with the alternative compliance for the use of lattice on both sides of the existing attached carport as mitigation for an enclosed garage and concerns with the overall parking. And here is some pictures of the existing home and site. And that concludes Staff's presentation and I stand for any questions.

Simison: Thank you, Stacy. Council, questions for staff? Okay. Would the applicant like to come forward? Good evening.

Constantikes: Good evening, Mayor, Council. For the record, Penelope Constantikes. Post Office Box 405, Boise, Idaho. 83701. Just a brief comment on staff's presentation. You did get to it at the end there, that they recommended denial. It wasn't a City Council hearing. So, I'm pleased to present Crowley Park Subdivision to you this evening. It is an in-fill development between Ten Mile and Black Cat Road. The applications before you, as you are aware, include annexation of an Ada county parcel, with a zoning designation of R-8, which is consistent with the Meridian future land use medium density residential designation. This subdivision creates four new mid-range housing options in this area of Meridian on individual lots available for purchase without expanding city services or adding roadway. The gross density of the proposed subdivision is identical to the adjacent Cherrywood Village Subdivision to the west. In the near proximity to the site are a number of services that are bikeable and walkable, including banking, groceries and pharmacy, coffee and casual meals. Church and golf. Golf is always important. As well as medical and veterinarian services. This proposal is com -- excuse me -- consistent with the Comprehensive Plan and complies with the standards and allowances that are provided in the UDC. Crowley Park will utilize existing infrastructure and will not add to the geography of fire, emergency, and police service areas. The applicant and project team have reviewed the staff report and concur. ACHD staff report approved access to the site and I would like to mention that staff is always very knowledgeable. They are always very informative and their professionalism is much appreciated. Contrary to what the Planning and Zoning Commission was concerned about, this access is 24 feet wide, which is two travel lanes, and it meets the City of Meridian Fire Department standards for emergency

access with enough width for two travel lanes. In three pre -- pre-application meetings the Fire Department's only question was about paving the shared driveway. A new fire hydrant is proposed for the site with -- with -- between Lots 1 and 2. Each of the new dwellings will have a two car garage and a driveway that provides two additional parking spaces. Although the parking provided is consistent with UDC, the site design includes three additional guest spaces and based on my discussions with Chief Deputy Bongiorno it may be possible to add a couple more. The existing residents will have a minimum of four parking spaces. The three in the -- in the three pre-application meetings that were held with staff we did try to create an appropriate site design and there were two neighborhood meetings. The adjacent neighbors came to the first neighborhood meeting to inquire about water delivery. No one attended the second meeting. But the neighbors were quite helpful when I reached out to them regarding historic irrigation water delivery information. The front porch of the residents intrudes as you know into the regular 25 foot wide landscape area. After the Planning and Zoning hearing the applicant opted to use the water conservation design option to reduce the landscape buffer five feet or about 20 percent to keep their front porch intact and I did on Monday submit an updated preliminary plat and an updated landscape plan that reflected that option. A revised preliminary plat landscape plan were submitted. I believe that the updated landscape plan does meet the intent of the code, but we will work with staff to make sure that the landscape plan is compliant. If Council prefers we would be happy to meander the common lot around the front porch and keep the bulk of it 25 feet. I would like to maybe keep that water conservation landscaping intact regardless of which way we go with that. It's just an easy drawing change. The existing home was constructed in 1938 and remodeled in 1958. The real river rock detailing on the front is quite charming. The home is well built and still has good life in it. The applicant has updated and refreshed the home to enhance the street view and the personal space features. An alternative compliant application was approved by the Planning Director for the carport. To mitigate the carport, the applicant has replaced the originally proposed lattice with Hardie board cladding on the visible sides, which is north and west, to match the residents. Access to the carport will be shifted to the south in combination with two additional parking spaces for a total of four. The application also includes a request for nonconforming use and the applicant does understand that if anything about that house was to change in the future it would require a conditional use permit. With the existing perimeter fencing and new fencing that will be installed between Lots 1 and 2, the rear entrance or the south entrance of the carport shouldn't be visible to anyone. The site design includes more than three -- more than the allowed three residents on the same side of the access drive, as you have -- staff has already discussed. In our discussions with staff it seemed like matching backyard to backyard -- thank you, Bill -- was a good idea to be sensitive to the adjacent neighbors. So, with the short access drive distance the applicant believed that matching backyards and being sensitive to the adjacent neighbors was more important than asking for an alternative compliance. The site does have irrigation water rights, but they can't be delivered. According to Settlers there is a private lateral that had at one time delivered water, but the lateral no longer functions. The residence does have a well with sufficient capacity to serve the irrigation needs of the entire site. Of course, the existing home will be connected to city water and sewer. The proposal is to use the well managed by the

HOA to serve all the irrigation needs for Crowley Park. Most of the existing trees are healthy and will be preserved and the project team will work with the city arborist for any needed mitigation and, finally, the parcel to the east of the site is also a candidate for in-fill development and the service drive could be utilized to combine access points if the city and ACHD are interested in that. It's just a five foot wide landscape buffer that we would need to make paving over, so -- and that keeps the consolidated access points. The team has reviewed the site specific conditions of approval and agree, including the requirement of a development agreement. I noticed the design changes that are requested for water service and I will bring this to the attention of the project engineer for corrections. I do hope that I have covered the important details and provided you with the information that you need. Your preference on the method for the landscape buffer would be appreciated and I respectfully request your approval of the annexation, zoning and the preliminary plat. This is an appropriate opportunity to add to complementary mid-range -- mid-range housing close to many retail and commercial amenities, without expanding services. I do thank you for your patience and your interest. Please let me know if you have any questions or directions on how to make this project better or if you would like me to get into greater detail. I would be happy to provide additional details or discuss any element of the project that you would like and with that I would stand for questions.

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

Constantikes: No questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Penelope, nice to see you.

Constantikes: Thank you.

Cavener: I always admire your tenacity for these kind of challenging projects. So, my question comes from kind of your opening comment and so do you feel that the Planning and Zoning Commission made an error --

Constantikes: No. It's just that in the beginning of the staff report it was stated that the Council denied the application. I just wanted to clarify that. That was all.

Cavener: All right.

Constantikes: Thank you.

Cavener: But no questions at this time, Mr. Mayor.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you for your presentation. It was -- it's very helpful to understand exactly what has transpired. You had mentioned that the applicant would agree to any modifications to the existing structure to be approved through a conditional use permit in the future.

Constantikes: Yes, ma'am.

Perreault: Those are physical changes to the structure. Is there -- was there any conversation of -- of whether that could become a business at some point? Because if I recall correctly it was or has had a business in there in the past and so I'm -- I'm curious if the applicant is willing to agree to that limitation in the DA. I know that --

Constantikes: Go ahead. I'm sorry.

Perreault: And -- and certainly I would like to hear from my fellow Council, their thoughts on that, but because this home faces -- because of the -- the orientation of it, it's -- it -- it is a natural good location for a business. Obviously, the parking is not going to allow for that if somebody were to choose to try to turn it into -- into a business.

Constantikes: Mayor, Council Woman, I -- my understanding is that it's intended to remain residential and -- and it was -- I mean they put a lot of work into dressing the house up inside and bringing it up to code and whatnot. So, no, I -- I don't think that there would be a problem with that at all. It was a business -- I think there was a business in there at one time, but it's been quite some time ago.

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

Constantikes: Are you sure?

Simison: I -- I don't think you are off the hook yet, but --

Constantikes: Okay.

Simison: -- I think we will see if there is any from the community that would like to provide testimony.

Constantikes: Thank you.

Simison: Thanks.

Johnson: Mr. Mayor, nobody marked that they wanted to speak.

Simison: Okay. Is there anybody in the audience who would like to come forward and provide testimony on this application or anybody online that would like to provide

testimony on this application, you can use to raise your hand feature. Seeing no one coming forward and no one raising their hand, would the applicant like to make any final comments to close or give Council time for any additional questions or comments?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I do have a quick question for the fire department? Hello. It seems you could get in. How would you get out?

Reese: Council Women Strader, we do have many residences such as this and with access such as this we probably wouldn't be pulling all the way in, just due to proximity. So, most likely it's a back -- pull in, back out type of situation for us.

Constantikes: Mr. Mayor, if I might address that?

Simison: Council Woman Strader, do you have any follow up that you want to make with Captain Reese?

Strader: Mr. Mayor, I don't have any follow up for you, but I have some follow up for the Fire Department, who are the experts on what they can and can't do. So, I'm going to stick with speaking with them. What were you -- can you just explore that. You wouldn't pull all the way in -- could you help me understand if that --

Reese: It would depend on what the incident was. If something was on fire we would need to keep a -- keep away from it enough so we don't melt our apparatus. So, if -- if -- if it was on fire. But if it was a medical call we could pretty easily get in there and, then, get out and not having looked at the plans I'm not sure if there is a proper place for a turnaround, but -- but there is a hammerhead, so it looks like we could pull in, turn around and, then, get out.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Penelope, would you like to comment?

Constantikes: Yes, that would be great. Thank you, Mayor, Council Woman. Yeah, we -- we had pretty extensive discussions with Joe Bongiorno and we have got a -- the hammerhead in there and there will have to be no parking signs. But we did provide for fire department turnaround on the site.

Strader: Mr. Mayor, thank you.

Simison: Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Strader -- or Perreault.

Perreault: Thank you. Just to follow up on that, with the -- the hammerhead that was added, where do the three parking spots hit the three off -- off-site parking spots hit in relationship to that?

Constantikes: They would be south of the -- of the end of the -- the southern leg of the hammerhead. So, they don't -- the parking spaces won't obstruct the fire truck. They are -- they are beyond the -- the depth that's required for the leg of the hammerhead, so -- and, again, we -- we presented that to Joe. Actually that was an outgrowth of my conversation with the Deputy Chief.

Perreault: Thank you.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. Penelope, it sounds like the homeowner has already taken out the lattice and put in the Hardie board that was recommended. Is -- did I hear that correctly?

Constantikes: Mayor, Councilman, no, not yet. But we will -- we will do that replacement and it will be painted and trimmed to match the house.

Hoaglun: Okay. And one of the concerns the Commission expressed was the amount of density proposed for one acre and I think it has to do with, you know, the single -- single access point, but it is going to be wide enough per -- per code what's required and yet I thought -- and -- and maybe this is a question for -- for staff, but if used by one residence -- we aren't actually in compliance with our future land use map, but what they call for medium density. Is -- is that -- is that right or is it still within the ratio of what medium density residential would be?

Hersh: Mr. Mayor, Councilman Hoaglun, the density should still be within the range, three to eight units per acre, so it -- I believe that it's 4.99, so it will still comply.

Hoaglun: Okay. Thank you. And, Mr. Mayor, follow up?

Simison: Councilman Hoaglun.

Hoaglun: Yeah, Penelope, has there been discussion about that -- you know, it -- it sounds like there is access for fire department to -- to access the site. If -- if we don't have a business that -- that makes -- that we make sure that there is not a parking issue, which there would be if they tried to make it a business. So, I was just mentally

thinking, okay, if we reduce it there -- because one of the concerns the Commission also expressed was the overflow parking and it sounds like -- could you reiterate, do you -- you meet the required amount of parking necessary for having the original house, plus the four new residences, for -- for this site?

Constantikes: Mayor, Councilman, actually we exceed the required parking. The Meridian standards require two parking spaces per residence and so we have that, plus we have enough depth on the driveways to provide two more parking spaces. So, each residence technically has four spaces and -- and, then, for the front house there is the two carport spaces. Then there will be a pad to provide two more spaces, because it's a three bedroom house. But they have quite a lengthy driveway. So, they could actually have a couple more cars at the front house and still not have a problem with overflow. With the -- with regard to the question about density, our density is identical to the density next door and as a former transportation planner I'm always excited actually, when -- when I can shepherd one of these difficult projects, which always seem to land in my office, because -- because it's -- I mean there is everything that you could possibly want on a daily basis just down the road. I mean everything -- more than normal in terms of the services that are available, so -- and it provides -- it's a demographic shift. So much of what's going on in that part of Meridian is the traditional single family detached dwellings and for someone like me who is a professional and single, these are identical -- or these are ideal for someone like me. So, I would hope that maybe we could keep the -- the density the way it's proposed. And we did initially propose to do the driveway so that we had three residences on one, so, actually, we are going to do two and two. So, they weren't on the same side. But, again, in discussions with staff -- and because this -- the backyards on the adjacent homes are so small, they are tiny, that we thought if we shifted and had all the homes with backyard to backyard, it would actually be better for our neighbors. So, we tried to put a lot of thought into how this was designed to make it as compatible as possible.

Hoaglun: And, Mr. Mayor, I think I have one last --

Simison: Councilman Hoaglun.

Hoaglun: -- dealing with the porch and I -- I think the director -- you have got to do the water saving landscaping and whatnot and that's -- that's interesting -- not the water saving part, but we -- we need to have an alternative compliance when this road -- when -- when this house was originally built and I'm old enough to remember when Cherry Lane was just two lanes each way -- that road frontage was way out front. I mean -- so, it's a matter of the road expanding and coming closer, that way that -- you know, through no fault of the homeowners of that time, they were encroached upon and now it's not in compliance. So, that's kind of an interesting dynamic that we have to make sure we are aware of that you can't shift those houses. You can shift roads, but -- yeah, it's just one of those things that -- but I appreciate you trying to maintain as much of that -- that requirement as possible.

Constantikes: Mayor, Councilman -- and, again, I would reiterate that either strategy for dealing with the landscape buffer is fine. We can -- we can just meander, circumvent the porch. It's not a perfect house and it's not historic register material, but it is charming and it is one of the original homes from Meridian. It was built in 1938 and that's not those wall things that you buy at a Home Depot and slap onto the side of your house, that's actually real river rock. Great big river rock. So, the materials that we submitted on Monday are for the 20 percent reduction in the landscape buffer and the water conserving design, but we will do it the other way. All you have to do is tell me. Whichever way you would prefer is fine. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks, Penelope. Could you tell me about -- I'm a little intrigued by the prospect of combining with the service drive to the east that you mentioned. Can you talk to me about that or is that part of your proposal?

Constantikes: Mayor, Council Woman, no, it's not. But I just am aware that that parcel next door is big enough to -- to be an in-fill development and I think it is also an enclaved Ada county parcel. Just, again, with the way we designed it there is a five foot wide landscape buffer in between us and the next door parcel and because of the classification of Cherry Lane it would be nice if everyone agreed to just add that traffic and have one consolidated access point. It's not part of the application, it's just one of those looking forward items that I wanted to bring up in the event that that parcel did redevelop and ACHD didn't want to have one more access drive close. They even have a -- they have a separation standard they like to maintain for driveways on arterial roadways. So, I was just looking ahead and tossing that out as a future potential.

Strader: Mr. Mayor?

Simison: Stacy, can you confirm -- I think that's annexed into the city?

Hersh: Mr. Mayor, yes. So, the properties along the east are already annexed into the city with an R-4 zoning district. But I guess if they agreed to do some type of driveway along this side -- yeah.

Simison: Primarily meaning it's not likely to redevelop for any purposes at this point in time in the near future.

Constantikes: Correct. And I just wanted to -- you know, sometimes looking forward is beneficial and so I was just looking forward a little bit.

Simison: Council Woman Strader.

Strader: Mr. Mayor, yeah. I appreciate the clarification. Though it's not like that's a -- a prospect that's on the immediate horizon and it doesn't really solve some of the access and connectivity issues. I just want to be frank. I -- I appreciate the desire to do in-fill. I think if you could do some land assemblage here, you know, with that adjoining property and had something bigger to work with it would make more sense. I agreed with the Planning and Zoning Commission's reasoning. I -- I personally feel like there are too many variances here and this is a too small of a site for what you are trying to fit in it. It just doesn't feel like having this much access off of common driveway as practical to me. I appreciate -- I mean it's very hard to do these and it takes a lot of creativity. I also have concerns about using a private well in general. Our internal city staff have been trying to discourage people from continuing to use those and part of the reason is it actually can affect the water quality in our aquifer. Using a private well is allowed legally. It's fine. But it -- it does create concerns. So, that's something that you may wish to discuss with them, even if it's for irrigation purposes. And, finally, I -- in addition to the different requests for alternative compliance, the amount of density -- I also still have concerns about emergency services. I understand that it meets their requirements to -- to turn around. It's going to require -- to me there is no room to maneuver. Even if it's wide enough -- like what's required here -- hearing the feedback, it's like, well, the apparatus will melt if we get too close, so it's like, okay, then, I guess you are backed up past the -- the next building, you know, can -- do you really have sufficient access if there is a big -- a really big fire, you know, something catastrophic. Is -- is this really -- are we being honest? I mean understand what our requirements are, but is this really enough room to maneuver? Is this meeting the standard that we need? So, I -- I guess I would have follow-up questions about that, but I don't want to go down that rabbit hole, because I agreed with the Commission, I thought that their reasoning was correct. Some feedback from me. Thank you.

Constantikes: Mayor -- Mayor, may I respond?

Simison: Sure.

Constantikes: Thank you. If you would like the well disconnected, that's fine. I -- I don't know -- that was new information, so thank you for sharing. I didn't realize that Public Works had flagged that as being problematic, so -- and, then, knowing the fire code a little bit the way I need to, I know that if you had a three story building and you had to bring in your ladder truck, the -- the vehicle -- the fire truck needs to be 15 feet away from the structure in order to provide I think the firefighters with some maneuvering space. So, the fire truck, if it uses this drive aisle, will be 20 feet away from the structure. So, I'm not -- you know, I'm not a fireman. I -- I do spend some time reading fire code, because I think it's an important part of my job, but I'm not -- I -- I don't know, I'm sorry that Joe isn't here. Am I correct in my analysis of that?

Reese: You are correct. I'm not Joe.

Constantikes: So --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: If others are interested in further exploring the -- the fire department questions, I -- I would be okay with that, but I'm a no on this just based on the density and -- and one acre to me is not -- not sufficient for what they are trying to do. So, I appreciate the explanation, but I just -- I look at this practically -- even when we have very large subdivisions with a lot of room to maneuver, I -- I hate common driveways. Having a development that's exclusively a common driveway is really problematic to me, just being very up front.

Simison: Council, additional questions or comments? Applicant technically hasn't had an opportunity to close yet, so we are going to give you that opportunity. I just want to make sure that everyone is -- not seeing any else, would the applicant like make any final comments?

Constantikes: Not really. Thank you, Mayor. I always appreciate the opportunity to be at Meridian, because we have dialogues and I don't actually find that in a lot of other jurisdictions. So, I appreciate the opportunity to discuss these things with you. It's -- it's very helpful and I don't have any closing comments, unless there are our final questions for me. Thank you.

Simison: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Move we close the public hearing on No. 2, Crowley Subdivision, H-2023-0006.

Strader: I would second.

Simison: Motion and 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.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I think Council Member Strader summarized my -- many of my comments and feelings as well and I -- I agree with the decision of the Planning and Zoning Commission and -- and support denial of this application.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I have lived near this home for a very long time and probably driven by it thousands of times and because of my intimate knowledge with it I -- I actually see this working well and there already is a lane that runs along the east side that I assume is used to access the back and there was a hair salon that was here, if I remember correctly. I think the house has been sold since then. So, their -- my main concern was that they would -- there would be an attempt to use it as a business again and as long as they are willing to put that into the DA there is not -- it's not permitted I suppose at all or without a CUP, whatever we think is best, but I -- I actually think that -- I agree that this is a -- many -- many alternative compliance request, but the applicant, from what I can tell, has addressed all of them in -- in every way that staff thought was appropriate. So, I'm actually a yes on this. I'm happy to make a motion if it's appropriate, but --

Parsons: Mr. Mayor?

Simison: Mr. Parsons.

Parsons: Again, I also appreciate the dialogue this evening, but I just want some clarification as to your definition of a business. If the Council does approve the annexation and the plat tonight, this property would technically be zoned R-8 in the city and a person could apply for a home occupation, which would allow you to use a portion of your home. So, I don't know if that's the business that was being operated out of the home or not, but that's pretty standard practice in Meridian. We do approve quite a few accessory use permits or home occupation permits to allow people to do that and that could even occur with the other four units that are -- that could potentially be built in here. So, if that's your intention to prohibit all businesses from operating here, then, I would make it clear in your -- the zoning is already going to limit what a commercial business can do on the property, just because it's a residential, but if it's truly your intent to limit customers coming here and, then, running an in-home business, then, I would suggest potentially adding that in your motion that no home occupation should be allowed to operate from this -- this site, so that it's clear for us to at least look at that DA and enforce that.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Home occupation business I think is -- is fine. The main concern is parking and -- and not having individuals come to the -- the homes. There was a salon there

prior, but, then, of course, there was plenty of space for parking and -- and as we know there is -- there is individuals who run businesses out of their homes that don't -- don't have permission to do so. My -- my thought was not so much an individual working from home themselves, but, you know, in the past we have had residents who have applied for daycare applications and those kinds of things which -- and anything, really, that would require parking. So, I don't know how that will -- the code would address that in regard to it being R-8 residential if there would be any limitation in the future for them to apply for something like that. Do you have a recommendation on how I would state that?

Parsons: Mayor and Council, home occupations don't necessarily require more parking than what the UDC does. So, in this particular case if any one of these homes were to be approved, then, the planner that reviews that permit looks for parking and if it's a three bedroom -- four bedroom home, we are looking to make sure that it has the -- the four parking spaces per code. So, there is really nothing that can really address that. To your point, a lot of the in-home businesses are in-home daycares of six or fewer or a salon, a personal service. So, those are, again, permitted uses under that avenue for a property owner to pursue with us. And, again, if they meet code we approve them at staff level. So, to just kind of pinpoint that is -- it's -- it is going to be difficult for us to track some of that, to be honest with you, in a development agreement.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: I kind of struggle with this one, because I know a lot of work has gone into it and I appreciate your presentation, but there is certain parts of it I can't get past. I'm really struggling with and I -- I understand that the density matches the development to the west. I see the development of the west has plenty of room for overflow parking and plenty of room for emergency vehicle access on multiple ways to get in and out and this doesn't. I think your density is still too high for the limited amount of room you have on this one acre lot and I don't think I could support it the way it stands.

Simison: And, Council, I will just chime in, because I -- I think it has one too many, just from a practical standpoint and -- and that's -- you know, it is the zoning. It is the last piece of in-fill. If it's not -- if -- if this project -- it's like I think that's one of the questions is what -- if not this project what project? Would it require a tear down of the existing structure to be redesigned at a higher density? Would that be okay? Or if the existing structure were to remain what would be the density that would be allowed or is there something else. But it is a challenge and it's -- it's a struggle when it's the last in-fill piece, it's meeting the density of the area. You know, instead of just saying, okay, well, now we just think three is the right number, which is, then, outside of what you are -- what's okay. So, it's somewhere within here or it's don't come back unless you are willing to redevelop the entire property in a different way in the future and I -- I think that that would at least be -- if it -- if it's a no this evening -- a good thing for the applicant to

know is like what is it that would -- that it would take that they could legitimately do to this property if they say evidently want to be residents of the city of Meridian.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. That's -- that's -- that was my line of thinking, you know, as I was asking Penelope those questions, because it -- it meets -- it meets our requirements, but at the same time I feel the same way, it's like -- it's just one too many. It's just too dense for that particular site and the layout. It -- it -- it would be -- it would be nice, but it was just like -- you just need a little more wiggle room, so -- but -- but it's hard, because, you know, going through those things -- and, you know, I -- I double checked under wastewater and water -- water quality concerns, there is none Public Works identified. You know, overflow parking, she does technically meet -- meet it. Changing out the -- the siding -- and to me the front porch it was -- it was the road that encroached not the house on the -- on the road type of thing. Emergency services can gain access. It is tight. You do have to -- have some forethought of responding to an emergency beforehand. But that's what they are trained to do. But at the same time it's just like Councilman Borton kind of -- Overton. Not -- not Borton. Sorry. Overton kind of expressed it, it's just that there is a quandary here. It's just kind of like, yes, it -- it does, but it doesn't, so -- and that's what makes it difficult and I -- and I would be -- if -- if there was one less -- one less residence on there, I -- I -- I think -- I -- I could -- I could support that, so --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I think that the challenge is -- we are always trying to find a yes, which is what I love about our council, try to find something that will work and we -- when it's apparent I think we do it. In this case, you know, this is part of the existing due diligence and site conditions on -- on a very limited piece of dirt and I don't think I could sit here and redesign it for them. I just know that this doesn't work and you are correct, it is not a comment by Public Works in this application, but Public Works -- at least when I covered them as a council liaison, had told me on a citywide basis we are trying to discourage people maintaining their private wells, because it impacts the water quality of the whole city. It's a citywide issue. It's not specific to this application. It wasn't a requirement that they made. So, I hope I didn't misrepresent that to you, but I'm -- I'm not hung up on that. That's -- that's not the main issue that I -- that I had. I think if -- I think if you came back and you had solved for some of the access concerns with a, you know, connection somehow to the service drive or if there was another way for an emergency vehicle to get in and out I think that would be a thing that would help. Perhaps reducing the density. But I -- I couldn't do that, you know, for the applicant, but perhaps that would help. It's hard to say without seeing it, you know, but that would certainly remove -- that has the potential to remove the, you know, alternative

compliance around common driveway variance if you were to redo that. Just some additional feedback.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: And just -- just an additional, I know we had feedback from the fire department and I know that that's what the Commission was concerned about, but I can't help but go back to over 27 years working in public safety and the scenario that keeps running through my mind is the one where I have all three agencies and sometimes multiple from each agency on a situation where I have got not just one fire truck, but possibly also paramedics and possibly one to two police cars and there is no room for that response at this project, unless I'm blocking Cherry Lane, which, depending on how serious an incident is, I may be doing that. But that's my concern.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: First, I love the debate that goes on amongst this body for a one acre parcel. For our friends that are here in the audience I know it's -- it's standing room only, but I just love that we take each application as they come with the same level of critique and criticism no matter the size. But unless there is any other comments I'm happy to make a motion. Mr. Mayor, after reviewing tonight's application I move that we deny application No. 2, H-2023-0006, include all staff, applicant, and Council testimony.

Strader: Second.

Simison: Have a motion and a second. Is there discussion? Okay. Clerk will call the roll.

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

Simison: Five ayes, one nay, and the motion to deny carries.

MOTION CARRIED: FIVE AYES. ONE NAY.

3. Public Hearing for Chimney Peak Subdivision (SHP-2023-0002) by Centurion Engineers, Inc., located at 4853 N. Chimney Peak Ave.

- A. Request: Short Plat to re-subdivide Lot 18, Block 24, Fulfer Subdivision No. 6 consisting of 1.45 acres of land in the R-8 zoning district into four (4) building lots and one (1) common lot.

Simison: With that we will move on to Item 3 this evening, which is a public hearing for Chimney Peak Subdivision, SHP-2023-0002. We will open this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. The next application before you is a request for a short plat. This site consists of 1.45 acres of land. It's zoned R-8 and is located at 4853 North Chimney Peak Avenue. The Comprehensive Plan future land use map designation is medium density residential, which calls for three to eight dwelling units per acre. A short plat is proposed to resubdivide Lot 18, Block 24, Fulfer Subdivision No. 6, consisting of 1.45 acres of land into four building lots and one common lot in the R-8 zoning district. The proposed density of 2.76 units per acre is consistent with the density desired of three to eight units per acre in the medium density residential future land use map designation for this site. There is an existing home and two accessory structures on the property that are proposed to remain on Lot 1 and those are shown there on that northern lot. The existing home is connected to city water and sewer service. The existing driveway via North Chimney Peak Avenue will be converted to a common driveway and will provide access to all of the proposed lots. Direct access via West McMillan Road is prohibited. The street buffer adjacent to the southern boundary of the site along West McMillan Road was constructed with the subdivision improvements for Fulfer Subdivision. There is existing landscaping, trees and lawn, along both sides of the existing driveway that complies with the standards for common driveways. Because the site is below five acres in size, common open space and site amenities are not required. Staff is recommending approval with the conditions in the staff report. There are no outstanding issues for Council tonight. Staff will stand for any questions.

Simison: Thank you, Sonya. Council, any questions for staff? All right. Would the applicant like to come forward. Good evening.

Canning: Good evening, Mayor and Council. Nice to see you all. I am Anna Canning with Centurion Engineers and I did want to update the address, since it's wrong on our application there. It's 2323 South Vista Avenue, Suite 206, Boise, Idaho. 83705. Well, I'm a little nervous that I come to you with an in-fill project off of a common drive tonight, but, nonetheless, I am delighted to bring this in-fill subdivision to you for Chimney Peak Subdivision. I will say that there are four residential lots and one common lot. The residential lots are -- the largest is around 30,000 square feet and the smallest one is around 8,000 square feet. So, we are looking at different size lots than the previous application and the density is 2.76. So, quite a bit different there. As staff made her wonderful presentation -- and thank you, Sonya, for everything, as well as you all for tonight, but this seems to be perfectly set up for a short plat. You might have noticed that the driveway is the right width. It's 30 feet. It allows comfortably for the 20 foot drive aisle for the fire department and the turnaround is largely constructed already, they just need to kind of blow out a roundabout and straighten that out a little bit and it's -- the fire access is there. The reason that it works so seamlessly is because it was anticipated in the preliminary plat back in 2003. So, there was always contemplated that there would be additional lots on the south side of that emergency -- or that

common drive and, indeed, many years later -- 20 years later here it is, so it was nice to see that. I -- I remember struggling with these -- the out -- or the existing homes in this Kelly Creek Subdivision. There was two of them. This was the easier one. The other one was really difficult. So, it's nice to be here tonight -- tonight presenting this to you. That's why I said I was delighted to be here. So, with that I won't bother you with a lot of the details, because Sonya went through them already, but we are in agreement with all the conditions of approval and with that we respectfully ask for approval and I would be happy to answer any questions you may have.

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

Canning: Thank you.

Simison: Is there anybody here that would like to provide testimony on this item or is there anybody online that would like to provide testimony on this item? If so, use the raise your hand feature. Seeing no one coming forward or no one raising their hand, would the applicant like any final comments? Applicant has waived final comments. So, Council, what's your desire?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Don't have any comments -- I'm not seeing anybody standing up, so I move we close the public hearing on Item No. 3.

Hoaglund: Second the motion.

Simison: Motion and 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.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Fairly straightforward request short plat. So, after considering all staff and -- staff and applicant testimony, I moved to approve File No. SHP-2023-0002 as presented in the staff report for the hearing date of May 23rd, 2023.

Hoaglund: Second the motion.

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

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

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

MOTION CARRIED: ALL AYES.

**4. Public Hearing for Promenade Cottages Subdivision (H-2022-0013)
by Steve Arnold, A-Team Consultants, located at 403 E. Fairview Ave.**

- A. Request: Rezone approximately 6.819 and 0.326 acres of land from the R-8 and C-G zoning districts to the R-40 (6.61 acres) and C-G (0.535 acres) zoning districts.
- B. Request: Preliminary Plat consisting of 30 single-family residential lots, 5 multi-family lots, 2 commercial lots and 8 common lots on 7.64 acres of land in the requested R-40 and C-G zoning districts.
- C. Request: Conditional Use Permit to construct a 90-unit, multi-family development on approximately 2.8 acres in the requested R-40 zoning district.
- D. Request: Conditional Use Permit to construct single-family, detached dwellings on 10 of the 30 single-family residential lots in the requested R-40 zoning district.
- E. Request: Conditional Use Permit to allow the existing, non-conforming parking, landscaping and mobile home park to remain as is for an extended period of time in the C-G and requested R-40 zoning districts.

Simison: Next item up is Item 4, which is a public hearing for Promenade Cottage Subdivision, H-2022-0013. We will open this public hearing with staff comments from Mr. Parsons. It looks like it's Ms. Allen again.

Allen: Allen. Thank you. Thank you, Mr. Mayor. The next application before you is a request for a rezone, a preliminary plat, and three separate conditional use permits. This site consists of 7.64 acres of land. It's zoned R-8, medium density residential, and C-G, general retail and service commercial, and it's located at 403 East Fairview Avenue. This property was annexed into the city in 1969 without a development agreement. The Comprehensive Plan future land use map designation is commercial, 2.12 acres, approximately, on the end and high density residential, approximately 5.52

acres on the south end. The north portion of this property adjacent to Fairview Avenue is zoned R-8 and C-C and is developed with two commercial buildings, a multi-tenant building, with retail and restaurant uses where Idaho Pizza is located, a paint store, Rodda Paint, and associated parking. The portion of the site directly to the south is a mobile home park and further to the south is vacant undeveloped land, all zoned R-8. The applicant proposes to rezone 7.15 acres of land from the R-8 and C-G zoning districts to the R-40, 6.61 acres, and C-G, .54 acre zoning districts, consistent with the underlying future land use map designations of high density residential and commercial. The rezone to C-G will remove the nonconforming status of the retail store in the R-8 zoning district, as such use is a permitted use in the C-G district. The mobile home park is a prohibited use in the proposed R-40 zoning district. A conditional use permit is proposed to extend the nonconforming use until such time as the property redevelops in a minimum of four years. The proposed multi-family residential development is a conditional use in the R-40 district subject to the specific use standards for such in the UDC. The proposed single family residential attached dwellings are a principal permitted use and the single family residential detached dwellings are conditional use in the proposed R-40 district. A preliminary plat is proposed consisting of 45 building lots, 30 single family residential building lots, five multi-family residential building lots and two commercial lots and eight common lots on 7.64 acres of land in the R-40 and C-G zoning districts. A gross density of 20.51 units per acre is proposed overall in the residential portions of the development. The plat is proposed to develop in three phases as shown. The single family residential on the south end of the site is proposed to develop first with 30 single family residential attached and detached dwellings at a gross density of 16.5 units per acre with the multi-family residential development second, with a total of 90 apartment units at a gross density of 28 units per acre, for an overall gross density of 28 units per acre and rebuild the commercial area last, shortly after the second phase. The -- the -- excuse me. The phasing plan is based on the type of loan the applicant has on the property. Because the property is income producing, the loan will not allow the owners to disrupt the income being made off the existing commercial buildings and the mobile home park. Once the property is not encumbered by this loan condition the owner will move forward with phase two providing market conditions warrant it. Phase three will follow shortly thereafter. Due to the financing and timing the applicant requests an additional period of time of approximately four to five years, instead of the standard two years, to obtain the city engineer's signature on the second phase final plat. This will allow ample time to notice the existing residents of the mobile home park of the plan to redevelop the property. Staff recommends the second phase final plat application is not allowed to be submitted for a minimum period of four years from the date of approval of the preliminary plat to allow residents of the mobile home park ample time to find other housing prior to redevelopment. This will require at least one time extension to be obtained in order for the preliminary plat to remain valid. There are three existing access driveways via Fairview, an arterial street. One for the retail paint store on the west and two for the multi-tenant building. The western access is proposed to be removed and the eastern accesses are proposed to remain until redevelopment of that portion of the property occurs, as removal at this time would negatively affect existing uses. Upon redevelopment of the commercial portion of the site all accesses via Fairview shall

cease and access shall be provided via Northeast 3rd Street, the lesser classification of the two streets. There are nine existing access driveways via Northeast 3rd Street, a local street designated on the master street map as a collector street, two for the commercial, one ingress-egress driveway for the mobile home park and six driveway accesses for individual homes. The northern access via Northeast 3rd Street is proposed to be removed as it's too close to the intersection and doesn't conform to ACHD standards. The second access nearest Fairview is proposed to remain to serve the existing commercial retail store and a new driveway access is proposed 30 feet to the south of the aforementioned driveway as depicted on the site plan in alignment with the driveway on the west side of 3rd. Due to the traffic conflicts that will likely result with the two driveways so close together, staff is recommending these two accesses are combined and aligned with the driveway on the west side of 3rd in accord with the UDC, which limits access points to collector streets. The existing driveway in alignment with Gruber Avenue on the west side of 3rd is proposed to remain and be reconstructed as a 30 foot wide curb return driveway as -- has been approved by ACHD. The remainder of the accesses are proposed to be closed. No access exists via Badley Avenue, a local street along the southern boundary of the undeveloped portion of the site. Two new driveway accesses are proposed via Badley to the single family residential portion of the development, which also provides connectivity to the multi-family residential and commercial portions of the development. Private streets are proposed for internal access to the proposed single family and multi-family dwellings. With the subdivision cross-access ingress-egress easement should be granted between the single family and multi-family and commercial portions of the development via a note on the final plat or a separate recorded agreement. Alternative compliance to the off-street parking standards for single family dwellings, which requires parking pads to be located in front of the garage, to allow the parking pads for the three bedroom units to be located as close as possible to the corresponding unit was approved by the director. Additional right of way is required to be dedicated along Fairview, but no improvements are required with the -- with this development, as Fairview is listed in the CIP to be widened from five to seven travel lanes with on-street bike lanes between 2036 and 2040. With development the existing section of Northeast 3rd Street is required to be improved with an eight foot wide planter strip and a five foot wide detached sidewalk abutting the site in the unimproved section between Gruber and Badley constructed as a complete collector street in accord with the master street map and in general conformance with the city's downtown Meridian street cross-section master plan. Private streets are proposed for internal access to the proposed single family and multi-family units for addressing purposes. The pathways master plan depicts a ten foot wide multi-use pathway off site along the west side of Northeast 3rd Street and along East Fairview Avenue on this site. Internal pedestrian connections are required between the single family, multi-family and commercial portions of the development. A 25 foot wide street buffer is required along Fairview and a 20 foot wide buffer is required along Northeast 3rd Street, landscaped in accord with the UDC standards. Because the single family portion of the site is below five acres in size at 2.7 acres, the minimum common open space and site amenity standards do not apply. The southern portion of this project is within the Meridian floodplain overlay district, Zone AE, and will require a floodplain development permit. A conditional use permit is proposed to construct a 90 unit multi-

family development on approximately 2.8 acres of land in the requested R-40 Zoning District. Five three story 18-plex multi-family structures are proposed containing a mix of one, 45 units, and two-bedroom, 45 units, ranging from 712 to 1,278 square feet in size. The amount of common open space proposed for the development exceeds the minimum standards. A minimum of a half acre of common open space is required, .94 acre is proposed, which is almost twice the minimum required. A minimum of four site amenities are required, one from each category. The applicant proposes a swimming pool, clubhouse, dog park, community garden, a tot lot and charging stations for electric vehicles from the quality of life, open space, recreation and multi-modal categories as required. Off-street parking is proposed in excess of the minimum standards with nine extra spaces. Nine of the surface parking spaces need to be covered in order to meet the minimum standards for covered spaces. Conceptual building elevations were submitted for the -- for the proposed single family structures as shown and for the multi-family structures as shown. The single family cottages are all proposed to be two stories in height, with two car garages, while the multi-family apartment buildings are proposed to be three stories in height. The clubhouse will be a single story in height. The applicant's narrative states the multi-family buildings will use similar accents as the cottage units. A conditional use permit is requested for the development of ten single family residential detached dwellings in the requested R-40 zoning district. Typically single family residential uses are not a desired use in the R-40 high density residential zoning district. However, they are allowed as a conditional use. There are existing single family residential dwellings to the west across Northeast 3rd Street and to the South across Badley Avenue. The proposed single family residential homes at a higher density of 16.5 units per acre will assist in providing a transition to the multi-family residential apartments planned in the second phase of this development and should be compatible with adjacent uses. For these reasons staff is supportive of the request. A conditional use permit is requested to allow the existing nonconforming parking, landscaping and mobile home park to remain as is for an extended period of time until redevelopment occurs with the second and third phases of the proposed development. The nonconforming use of a portion of the site as a mobile home park and the parking and landscaping in the commercial portion of the development will remain as is until the second and third phases of development respectively, which will be approximately four to five years. The Commission did recommend approval of these applications with the conditions in the staff report and I will just go over a summary of the Commission hearing. Steve Arnold, the applicant's representative, testified in favor. There was no one testifying in opposition. Kelly Jean Warner did comment on the application. There was no written testimony received. And the only issue of discussion was the question from the neighbor regarding how the proposed development would affect adjacent properties in the area. Key issues a discussion by the Commission are as follows: Concern pertaining to the extended time period for redevelopment of the mobile home park and commercial portions of the development and feasibility of the development -- developer's ability to refinance the property after the terms of the existing loan are satisfied. Concern pertaining to the upkeep of the mobile home park in the interim of people vacating the mobile homes prior to redevelopment of the site and inclusion of a requirement for the mobile homes to be removed as they are vacated. Concern pertaining to the uncertainty of what's involved with the construction of a complete street

section for Northeast 3rd Street between Gruber and Badley, i.e., if additional right of way is needed from the property to the west, if reimbursement for the cost of construction of the western portion of the street is possible from ACHD. And, finally, inclusion of a sunset requirement for the conditional use permit for extension of the nonconforming uses. Commission changes to the staff recommendation are as follows: A sunset requirement of four years was included for the conditional use permit for extension of the nonconforming uses, consistent with the preliminary plat requirement in the development agreement. The pedestrian pathway along the eastern boundary of the single family portion of the site shall be removed due to CPTED safety concerns. That is -- if I can just take a moment and point that out. It's this pathway right here where my pointer is. Staff is requesting Council allow this pathway as it provides access to the front of these units, which are accessed from the rear via the private street which functions as an alley and the applicant is also requesting that that condition for removal be stricken. And, finally, inclusion of a provision requiring the mobile homes and associated debris that are vacant at the beginning of phase two to be removed within 45 calendar days. If there are more than five vacant mobile homes that time period is extended to 90 calendar days. The only outstanding issue for Council tonight is -- as I just mentioned, that staff requests Condition A2.2F requiring the removal of the pedestrian pathway along the east side of the single family portion of the development is stricken. There has been no written testimony received since the Commission hearing. The applicant is here to present tonight. That's all staff has. Thank you.

Simison: Thank you, Sonya. Council, questions for staff? Okay. Would the applicant like to come forward? Good evening.

Arnold: Mr. Mayor, Members of the City Council, for the record it's Steve Arnold. I'm with A Team Land Consultants. 1785 Whisper Cove, Boise. 83709. I -- I think Sonya has pretty much covered the -- the project in its entirety. So, what I'm going to try to do is -- is give kind of an overview of a feel of what we are doing. The product that we are building here has only been built once before and we did it in Boise right next to -- it is Stones Throw, which was a Meridian project, and it's got -- what we are calling these units at the south end -- they are basically a cottage unit and they are a mix of attached townhomes and detached single family units and I will get to the pictures on these, but they essentially operate as a high density product. The one that we did at Irving and Mount Hood, it was three acres and we did roughly 60 units on it and 30 were the attached and 30 were the detached and I will get through some of these pictures here. Like I said, I think Sonya covered most of these. This is a pretty complicated application for the size of the project. I mean we are seven acres and we have got a ton of different applications that we are doing. We are not looking for variances, but because of the product type that we are doing, the -- the single family cottage unit, because it is single family, it's required to have the additional two parking stalls in -- in front of the garage and because these are all alley loaded we specifically prepared a -- a parking exhibit, so that Council and staff could see that, you know, this -- these parking spaces are reserved for these units. There is a good number of the units that we don't need parking in front of, because they are two bed, two bath. It's just the three bed, two bath that you need parking in front of the garage. So, basically, 15 units is what we are

asking for that is not in front of the garage. One of the things that was requested -- and I -- I think we can comply with everything that the Commission asked for. The one item that we do not want to have installed is the sidewalk along the southeast corner and, again, that was just for the reasons to access the front of the units. The concern that the Commission had at the time was basically there is -- there is an area there that there is not a lot of lighting. So, what we would propose is to put some pathway lighting along that, so that there is lighting and that helps address the concerns. Sonya did touch bases on the -- the -- the four years and, basically, how we can't touch anything that affects the income production on this property. Hence, we are asking for the longer time before we start relocating the -- the trailer homes and doing anything with the properties up front. We will have CC&Rs and they will basically govern the commercial portion, the multi-family portion and the -- the cottage portion. Each of them will maintain certain things, like their parking, their perspective drive aisles. They all will have access -- or at least the residential portion will all have access to the clubhouse and the other amenities. In the cottage areas we added several amenities there that will, again also be open to the multi-family. The -- the one thing that came up at the Commission hearing last time -- and it's -- it's still a question, but I think it's something that we can work through and I -- we raised the red flag about 3rd Street, because we thought that potential additional right of way would be required. In working with staff I think we can move the majority of the roadway onto our property, so that we can get it entirely built and it's -- we will take the burden from Badley to Gruber and, then, from Gruber north to Fairview Avenue. The highway district and staff is just looking for a half plus 12 and, then, modifying some of the buffers and stuff adjacent to us. We do have the Rodda Paint building that sits very close to the current right of way, so we have that existing building that we have got to work with and, then, we have got the pizza multi-tenant place that we have currently got to work with the existing configuration with the loop driveway to the far east and, then, the center driveway, but in the short term there are a couple nonconforming driveways that we can clean up there. This site has been a challenge for a long time and I'm hoping we can get to something that definitely looks a lot nicer. Just to go on record, we have read through all of the city conditions, the agency comments. We just got ACHD's report today, I believe, and we have gone through all those and we can comply with those. I won't go through the -- the plat too much, other than to just kind of give you an idea the -- the southern portion, again, although it looks like they are private roads, they actually function as an alley load. So, the -- the whole south portion of the -- the project is basically an alley load and, then, the green spaces in between are what are MEWs or paseos kind of a -- a common walking area that you can enter to the front of the home. This kind of shows the -- the site circulation and our -- it's our site plan that was submitted. I broke this slide out because I -- we -- we paid quite a bit of attention to parking on this. So, to give you an idea, we have -- on the multi-family we -- there are required to be 158 stalls and, then, nine guest parking. We are at 161 with 15 guest spaces. The cottages were basically right at what is all required. So, the cottage is at three two. That's basically saying it's a three bed, two bath, and it requires the 30 garages and, then, 30 parking spaces in front of the garage. The cottages that are two bed, two bath, only require just the parking. So, just the garages. But to give you an idea on the cottage guest area that we have shown around that, we have shown 20 additional parking stalls for those cottage units

and I'm sure some of the multi-family will be grabbing them, too, but we have quite a bit of additional parking and just go down to the commercial there is only -- between the two buildings, who are only required to do 33, we have got a total of 90. So, we are -- we are well parked on this site. This gives you just kind of an idea the -- the layout and the open space and, again, here at the southeast corner, which would be the far left lower end, we would request that we could keep the proposed sidewalk and just have lighting and, then, you could see the dog -- the center park here was planned out and the cottage units and that was mainly just to create a central focal area that had multi-uses and multi-amenities and you can see what we are doing here in the center in the multi-family. But, again, these will all happen in phases. The very first phase that we were going to do is the cottages at the south side. Before we could build there we have got a flood zone that we got to clean up, so there is quite a bit of cleaning on this piece, but we still see it as very feasible and ultimately we will probably get rid of a big headache for the police out there. This -- I put this slide together to give you an idea -- 3rd Street is -- as you can see doesn't connect. The -- I forget that east-west road. 3rd Street doesn't connect Badley to the Gruber. Gruber -- there is no right of way that exists there. And, then, eventually we will be extending Gruber as a private road to access the multi-family to the north. But it -- it -- 3rd Street could be a challenge, but I think it's -- it's -- with the help of staff and ACHD I think we can get through it. This gives you an idea. This is looking at Gruber Street due south of Gruber. Give you an idea of -- there may be a few trees that we are removing that could be a little bit of a challenge. This is getting into the cottage product and I will try to explain a little bit as we go through these, but this is a -- a corner home and as you can see on the -- the -- the face of the home faces the street and, then, in the back as you can see right behind the -- the building is the alley that essentially we are going to be doing on this product type and there, again, this gives you an idea of what the face of the buildings are and how they work with the roads. If you are looking far to the right-hand side of this that would be the public street. Here is the single family portion. They blend in very well with the duplexes. Here again this is the typical MEW that we do on a high density product and this being 11 units per acre it's fairly low. So, this one that we did over in Boise at 20 units an acre, the MEW and the paseos are much narrower. Here again is the alley looking from behind. This gives you an idea -- this -- we are going to be doing similar fencing like this in our open areas. Here is a sketch of the multi-family, because that's so far out I know we will be back in front of the -- the city with a design review of some sort for this and then, the -- the two discussion items -- the -- the one thing that we would like is -- and this isn't so much with the city, but if we can get backing from the city that would be great. Typically an agency, like ACHD, requires you to do half plus 12 of a road that you abut. In this particular case ACHD and the city is asking for the full street section of -- of 3rd Street between Badley and Gruber and in this situation it probably does make good sense to build the road at one particular time, because the likelihood of things redeveloping on the west side are very unlikely, but we -- we would like to entertain discussions about reimbursements of that and this property is in what's called an opportunity zone and it's also in the Meridian downtown development zone that I believe there is a process and funding mechanisms to do that. We -- we do ask for help on this. I -- I -- I do see this road as a challenge and with the city and ACHD's help I

think it can be done. And with that I will stand for any questions and I appreciate the opportunity to present in front of you tonight.

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

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Two questions. Steve, the -- the nature of CPTED and why the Commission probably wanted to get rid of that pathway on that east side had to do with the lack of lighting.

Arnold: Correct.

Overton: The mitigation of that CPTED concern is putting in some type of bollard or pathway lighting. I hear you correctly that you would be willing to put that in.

Arnold: We could do both.

Overton: Okay. Okay. Thank you. Second question. The decision to wait four years on the trailer park is hinged to the loan; correct?

Arnold: Yes. Mayor, Councilman Overton, that's correct. And it's also -- we are going to need some time to help relocate a bunch of people that are probably going to have a challenge.

Overton: Well, that's my second part of that one. With that being said, four years, I got to say that gives people plenty of time to find a new place to call home. I don't know how many of those have been living there for a long time and had a lot of time in that trailer park over a career. My other question is during those four years are -- who is going to be in charge of maintaining that as we get closer to that four year mark to make sure up until the point of it redeveloping it doesn't just fall to pieces?

Arnold: Mayor, Councilman Overton, the same group of people that's maintaining it now. I mean they -- they have got a maintenance group that comes in and -- and takes care of it, but the intent is we are -- not to let it go to pot in the time. The intent is to, one, I mean I shouldn't -- we shouldn't underscore the value of the loan, because that we can't do anything about. It's like -- as much as I would like to sound like a great neighbor, you know, the -- the four years is mainly based on the fact that we can't change the loan, not that we are -- that these people need four years to get out. I mean they could theoretically get out in, you know, six to nine months. But, yeah, during the -- the time frame between now and when we were redeveloped with the multi-family we will be maintaining that and we can add language in our CC&Rs if there's something specific that the Council would like to see in that.

Overton: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. Thank you, Mr. Arnold. I have some concerns. So, to me this opens the door to eliminating some of the very few amount of affordable housing we have in the city. I don't know where these folks would go. I mean -- so, I -- I have a real concern around that. How many people are in the existing mobile home park? That's my first question. And, then, I would like to know -- are you trying to address, you know, a need at a certain price point with your new product that you are bringing online? Do you want to talk about that a little bit? But just thinking about -- you know, we have a mobile home park and now we are going to be getting multi-family with charging stations and a dog park and it's going to be beautiful. But that sounds like Class A, you know, product to me. So, I just -- I want to kind of understand -- without getting into rents or anything, but what kind of part of the market are you addressing through your development? What's the maturity of your loan, if you can disclose that, because it sort of speaks to the timing as well. Those are kind of my three initial questions.

Arnold: Okay. Mayor Simison, Council Woman Strader, the -- so, we -- we started out -- and Bill and I have been talking about this project for probably six years. So, the -- the -- it used to be six years that the loan was fully matured on that -- or they -- I shouldn't say that. It was six years until they could refinance that loan and I'm -- so that's not -- I'm not privy to their financial situation. The other question you had was -- if I interpret this correct -- was it were we providing affordable housing. There has not been any discussion on that, but the one thing that it is doing that -- and I have got kids renting right now -- is we are bringing more rental stuff onto the market. The multi-family. And that will help overall drive rent down. The -- so, that's the affordability part. The number of people that are living in there I don't have a head count, but there -- I do know for a fact that there are programs that take anywhere between six months to a year and a half for people to apply to get assisted housing and I know there is current programs for that, but I'm -- I -- I can't say this is going to be affordable. Anything like what it's at right now, I mean some of these things shouldn't be lived in.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. It -- it's a really sensitive topic; right? And so just to reflect back to you a little bit. So, it sounds like you are saying there is an issue with substandard housing at this mobile home park. I don't know if that's true or not; right? I mean we -- we do have, you know, standards in the city. But, you know, just because housing is different than maybe what our price point might be or what we might prefer, that doesn't mean that that isn't acceptable housing for someone else. So, I would need to understand a little bit more about the conditions at the site to agree or disagree with that. But I am

concerned, because you -- you know, from -- I actually have a friend who moved to a mobile home park like far outside of town, like over near Mountain Home and they were on a wait list for almost a year to get into that particular area from just -- as just an anecdotal conversation I had with somebody that I know. But from what I understand there is not any vacancy in the Treasure Valley for a mobile home and so four years seems like a long time, but I'm concerned that maybe the financing market will change or, you know, maybe the cottages component will be built quickly or, you know, maybe something will change and, then, that time frame to allow these folks to find new housing will be changed and they won't have a lot of time and, then, I think it sounds like they would need to go on public assistance is what you are saying. We don't know that. But, you know, that seems like a really problematic fact pattern. So, yeah, I'm just going to -- I'm -- I'm just struggling with the human element of this one. I don't think there is going to be a great answer for it, but -- and this is a big -- a big problem we are having -- we think supply and demand is what's driving rents and that may not be true. Like if we are just building Class A and everyone's coming from other states where they have, you know, a different cost of living and, then, they come here and the people that are moving in taking Class A apartments are displacing existing residents and -- so, that -- that's a concern I have. I -- but I don't know what the answer is. I mean, you know, you own this property, you have a right to develop it, but there is a real big elephant in the room of what will happen to the people that live here.

Cavener: Mr. Mayor? Steve, I didn't want -- I didn't want to step on your toes if you want a response. Sorry.

Arnold: No. Go ahead.

Simison: Councilman Cavener.

Cavener: Thank you, Mr. Mayor. Steve, a couple -- couple comments. One, I really like the cottage product. I think that's a nice fit for downtown Meridian. I have got a lot of -- a lot of love for the old Idaho Pizza Company -- the Idaho Pizza Company building. That was my -- let us -- make us all feel a little better -- that was my daycare when I was in kindergarten. It was like Greenleaf Academy. So, they had a great sandbox. So, I love that piece of property. A -- a couple things -- and -- and some of it is -- to Council Member Strader's questions about the -- the trailer park and it's not lost on me that many of those units are in disrepair and there is some -- some significant blight, but it's also not lost to me that that is housing for people. So, Council Member Strader I think asked around it and I -- I want to give you another chance maybe to respond, because I know -- I think that the -- the plan for the apartments is upscale premium I think is the terms that you use in your narrative. So, again, certainly not a place that these current residents are going to live. So, they will be displaced. And so I think it's important for this Council to have a good understanding as to what you or your business partner, employer, what their plan is to support those people. What is the plan you have got -- you -- you outlined four years because of the loan, although I think you do also indicate in your narrative that even after four years you may not move forth depending on -- on

the market. So, help the Council understand what is your plan for these people to move them out of their existing home?

Arnold: Mayor Simison, Commissioner -- or Councilman Cavener, the specifics of the plan really has not come up yet. I mean we are --

Cavener: Okay.

Arnold: -- that's something that's down the road, but it is something that we have thought about. I mean we have -- I have actually personally met with some of the -- the -- I guess they are not land owners. The -- the residents that live in there and I have learned more than I knew about mobile homes and apparently the mobile home industry -- there is a lot of places -- and I'm probably speaking out of turn -- that won't let you bring in a mobile home that is over a certain age --

Cavener: Yeah.

Arnold: -- and, you know, that's news to me. So, some of these homes that are there they can't be -- I mean they can't physically be moved --

Cavener: Sure.

Arnold: -- off site.

Cavener: So that -- go ahead, Steve.

Arnold: So, there is going to be some logistics there, you know, but you got to plan on how that's going to be taken care of. No. And, then, one of the -- the portion of that plan may be to look into the multi-family and affordable housing there. But that's not been looked into at all right now.

Cavener: So -- Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Steve, I appreciate your -- your candidness on that. For me as a Council Member -- I think these are technically county residents, but these are people and so I -- I just want to be upfront with you, I like a lot of this project. I'm not going to support it tonight until you have got a plan about how we are going to handle those people, because that may be finding affordable housing or essentially becoming homelessness is a conversation nonstarter for me this evening. So, it sounds like you have thought about it. Again, you haven't heard from the rest of the Council, but I think that's an important piece that you are going to probably -- that's a big, big piece of the puzzle that I think that you have an obligation to address, because you are going to displace these people and you have got plenty of time to do it. So, bring us a plan that makes me feel comfortable that we are going to take care of these people.

Arnold: Mayor Simison, Councilman Cavener, I do -- I believe my client is online tonight and they own several mobile homes. So, I -- I'm hoping that he raises his hands online and -- and can give you examples of what they have done in the past. Because I -- we have not -- he and I have not talked about that.

Cavener: Sure. Mr. Mayor, I -- I invite that. I just think it's important. Ideas are fantastic, conceptual in nature. Until I see something that is either part of a development agreement or something that is tied to your -- to your rezone request, I -- I just -- I can't in good conscience be supportive of anything until that particular piece is answered, as much as I really really like what you are trying to do in downtown.

Arnold: I appreciate that.

Simison: And just to clarify, just -- I -- I want to make sure I heard or didn't hear correct. These -- I think you said these are county -- I think this was annexed into the city and these are city residents.

Arnold: Yeah.

Simison: Just so that was clear for yourself before moving forward, so --

Parsons: Mayor, if -- if I may just add some -- some commentary on this, because certainly the six years that Steve and I have been talking about this this has been part of our conversation, because same thing as a planner, that's something that we certainly don't strive to do is displace people. I can tell you that I have fielded many questions from the residents out here as well and assured them that they were not going to be kicked out of their home within the next three to six months. That was their concern is that there was adequate time for them to find a new location to move to. So, at least wanted to tell you that's the case. I mean they were concerned -- at P&Z they showed up. Those concerns were brought up at P&Z, as Sonya alluded to you tonight. But certainly to your point, Councilman Cavener, if it is your desire to have that plan, you have the ability to require the applicant to come forward -- don't let them move forward with phase two of the development unless they have that plan. Like it's an option. And let them get going on phase one and develop some of the undeveloped portion of the site and, then, with phase two part of them moving forward with any development on that site you want a secure plan on how that is to occur -- how that is going to occur, because I think it is a very important component of the complexity of this project, because there are so many different moving pieces. But just a couple of thoughts that I had and just share that commentary with you as well. Thank you.

Simison: And the -- Mark did raise his hand and so he is available for comment. Would the Council like to hear at this point in time from him? Okay. So, Mark, you are --

Kelly: Yeah. Mark Kelly with the -- the owner -- one of the owners of the project. We -- we have a few ideas of how to mitigate it. We have had -- we have the same concern as the City Council Members have as far as displacing people and just to -- just to

reiterate, though, the -- the multi-family is not a -- I would not consider it a Class A. They are smaller one and two-bedroom units, so they will be more on the affordable side. They won't be nothing -- no discussions of deed restrictions or anything to this point, but we are actually building a mobile home park in Ontario, Oregon, which we are anticipating having completed this summer. It's a mobile home park -- a number of the -- the units out there at Elm Grove are -- are RVs, as well as the older mobile homes that Steve referenced. In some cases you can upgrade those older mobile homes and comply with the current codes. It just depends on how the -- the electrical and the various systems need updating. But we would be open to, you know, paying to move the existing homes that would be applicable that could be moved to -- to the park we are building there in Oregon. It is a bit of a logistics with our loan and, then, with moving people just from the standpoint -- you know, obviously, our lender doesn't want to see our cash flow evaporate on this site, so it -- it's a bit of a challenge, but we -- we would certainly be open to looking at a plan to move people and provide a certain amount of -- of funding. I don't believe the city has any criteria that is required for any of that that I'm aware of and in past discussions it wasn't mandated that the city had a particular program, but we are certainly open to all different ideas. I think we have a good solution. The park we are building is 50 spaces of mobile homes. We have about 20 homes that we are putting on there now that we are intending to rent and they are at affordable prices. So, we could offer people to move into those or we could offer to move their homes as well if -- if they can be brought up to the standards that allow them to be moved into Oregon.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mark, that's helpful. I'm not quite sure I'm necessarily in agreement of those suggestions, but I -- I do appreciate that it sounds like that you have put some -- some thought into that. Again, I -- I want to be up front with you. I like a lot of this project. I struggle a little bit with the multi-family piece in its location in downtown and Fairview, but I think I can get -- get -- get around that. I guess -- and, again, I recognize I have spoken a lot about this tonight. I'm still not in a spot that I will be supportive of this application. I would encourage you to take feedback from the Council. We may make a decision tonight, but I guess I -- I would not be comfortable without you bringing something that is proposed to be tied to your application that provided option A, B and C to the residents that you are planning the phasing of that. So, just -- just food for thought from one Council Member this evening.

Strader: Mr. Mayor?

Kelly: Yes. Sorry. Sorry, Council Member Overton. I -- I got disconnected there.

Simison: Councilman Cavener, do you want to repeat?

Cavener: Sure. Thanks, Mr. Mayor. Mark, I just was just sharing that I appreciate you -- it was kind of laying out some conceptual ideas. I think it's important -- and, again, I -- I don't want to get above my skis and encourage you requesting continuance, because, again, that may be premature and -- and Council may have additional questions, but I -- I think it's important that you bring a plan to the Council that -- that lays out what your formalized intentions would be, at least before I would be supportive of looking at any type of rezone request.

Kelly: Okay. I thought -- I -- I -- I think Bill has a good solution. We -- we all have been working on this project for several years, so I -- I like the idea of the phasing just to -- to put our perspective on the table. We are -- we are getting a little worn out on this project, to be honest with you, and it is in an opportunity zone and it's -- it's begging for some redevelopment there. Especially with the vacant land in the back, I think Bill has come up with a good solution as far as allowing that to move forward and letting us all come up with an agreeable solution to the relocation of the people that are living there.

Simison: Council, any additional questions for the applicant?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Not a series of questions or maybe some comments, too. So, I appreciate your testimony and just being forthright about the situation. I did not realize that -- that it's possible that some of these homes cannot be moved, because they don't meet some standards that are out there. So, that -- that's important information. That -- that makes it worse than I realized and so, you know, this is an opportunity zone, so, you know, theoretically U.S. taxpayers are subsidizing these projects and, then, in addition it could displace Meridian residents, which would cause them to seek public assistance. So, it just feels like -- like layers of just -- like some ethical issues that I'm having. So, I share Councilman Cavener's perspective. I think what would be important -- because I view the rezone as kind of the leverage that we have in this situation and so I'm concerned that if we grant the rezone now, just contingent on having a plan and we don't see sufficient detail in that plan at that point, you know, we have already given you the ability to -- to move forward with some sort of a plan and I think having a plan that's adequate is going to be really important here. I love the ideas of Mr. Kelly about, you know, giving the residents a potential alternative in Ontario. Ontario is pretty far, you know, so that -- but that at least would be an alternative. So, I would encourage you to explore that. And, again, this is just a couple of Council Members. I don't know how the others will end up feeling about it, but if you do go down the road of coming up with a plan, you know, maybe another alternative would be -- and having been a lender myself for many years and understanding how that would work -- is you could certainly build the cottages. You could present your plan to us. If we agreed that would be great. You could go ahead and build your phase one and, then, you will hopefully have sufficient cash flow from that that at that point you could start, you know, implementing a plan to move the residents from the mobile home park. But I think another alternative you

could consider would be, you know, subsidizing some different rent point for them at the site on the multi-family portion as well, so that could be another alternative that would be within your control. But certainly it would impact your cash flow. This is a tough one. I -- I -- I personally need to see a plan, too. I -- I think there is a high likelihood that without a plan the folks that are at the mobile home park could be added to the homeless population here and that, you know, all of the Meridian and Treasure Valley ends up subsidizing that at the end of the day. So, that -- that's where I'm at as well.

Simison: Council, additional questions for the applicant?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I agree with my -- my fellow Council with a couple of different thoughts. I actually have worked with displaced -- with individuals in this kind of situation in my vocation, displacing mobile home parks for development. I'm intimately aware with moving mobile homes. Been there. It's tough. But I agree that -- that it would be wonderful for us to be able to help the individuals that live in there and -- however, I realize that we can't condition that on you in the sense of requiring the specific ways that you go about it. So, definitely interested in hearing -- hearing your solutions on that. My question, to take it just a little bit different direction, on -- on sort of a -- a technicality was -- as you would be building phase one, with that little road network there, how -- where would construction vehicles come in and how would that -- is that going to interrupt or disrupt the residences in that area?

Arnold: Mayor Simison, Commissioner -- or Council Woman Perreault, most likely they would be coming down 3rd Street from Fairview Avenue.

Simison: Steve, can you get on one of the mics?

Arnold: Yeah. Most likely they would be coming Fairview down 3rd to the site and, then, just work their way either in the right of way 3rd Street or just jump on site right away.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, I don't have the map in front of me, but if I remember correctly 3rd ends about where the bare ground part -- part of your development starts, so they would just move on to the dirt, then, at that point straight south of where 3rd ends and do a staging area there?

Arnold: My guess is, yeah, if we didn't build 3rd first is they would put their staging area off of 3rd, just south of the mobile homes.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Since it sounds like this won't be our last meeting, would you mind asking your client to, please, clarify how that will work if there is an intent to use only 3rd or if they had planned on coming up from the south and how that might affect the -- the residents? I think that's important given the size of vehicles that they will be driving and those -- those streets are narrow and short and we don't want construction vehicles really parking on any of those. So, I would like to hear more about that when you come back and -- and, then, the other question I have is related to the alley loads. So, I'm not a huge fan of alleys loads in general, because we find so many issues with parking and trash cans and -- and, you know, HVAC vehicles and just so many problems with alley loads from a -- just practically and the concern I have with yours specifically is that there -- I just didn't see any area where a -- a furniture truck can come deliver furniture where, you know, any kind of -- of commercial vehicle can come in and -- and do what they need to do. They can't access it from the front and, then, the other comment I have on that is -- I find it a little bit odd that the front of these units -- yes, they will have a pathway on either side, but one is facing to the east, it's facing like, what, an apartment building? And, then, to the west it will be facing a street and so it just seems to me like the orientation of these -- it really isn't neighborhood feel. It's not a community feel. And I'm just kind of struggling with the fronts of the units facing west and east and not kind of turning in all toward one another. The -- the middle area is great the way it's set up with the grass and, then, you know, the -- the front of the units are facing toward one another and there is green space, but on the outsides it seems really disjointed.

Arnold: Yeah. If I can follow up on that. On the outsides that's -- that's the way they are -- they are supposed to be. They are supposed to be kind of facing the street. That's the feel of this product type and that's why there is the alley that's behind them. But in regards to the commercial vehicles it's no different than a commercial vehicle in an apartment complex. We don't have really any dead end drive aisles, so a commercial vehicle can come in and -- and park and unload and load. So, it -- it's really no different than any other multi-family project.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: We are starting to see and request, but can't require sort of loading and unloading types of spaces for those -- for those vehicles that are coming through and I would like to see an option for that in this and, then, to clarify, I am understanding correctly that the garages on the -- the -- the east and west sides of these units are going to face the pavement; correct? And the front of the house will face the walkway --

Arnold: Correct.

Perreault: -- is that right? So, the front of those homes to the east are going to face the side of a building and to the west they are going to face a street?

Arnold: That's correct. To the east they are facing the -- the MEW or the paseo and, then, to the west they are facing 3rd Street.

Perreault: Okay. Yeah. I just -- that design seems really disjointed to me in -- in relation to what's happening in the center area for those residents. It doesn't -- it -- doesn't really doesn't give it much of a community feel in my opinion. That's just a -- that's just a -- an observation based on what we see that comes through and the requests that we get from -- from the community on kind of how they want to live. When I look at the -- at the open space rendering I just see pavement -- just tons of pavement and mostly that's in the commercial area. I'm very familiar with that commercial area, but I -- I just -- this looks like a lot of blacktop.

Kelly: Hey, Steve, do you mind if I respond to that?

Arnold: Sure.

Kelly: You know, this is an urban project with front door stoops and oriented to the front yards, trying to get people out on the front porches and on their front yards and interacting in the community. I agree with the commercial area, that's a lot of pavement, but in the cottages I -- I strongly urge you to go look at the project on Mount Hood and -- what's the cross street -- Irving and Mount Hood and that's done at 20 to the acre. This is half the density. We learned some things over there as far as your concerns with trash and parking and we are parked here twice the amount. We have a wider alley with five -- additional five feet on either side. We started this project at that same density, you know, where we had about 40 units or 50 units on this site and now we are down to 30 and we have the ability to leave the -- leave the garbage in the alleys and the garbage trucks can drive through. This is a really incredible product. I think you should try to walk it over there and get a better feel for it, because you don't have a sea of cars on a parking area with this product like you do with all the four-plexes and all the multi-family stuff. The -- the cottages is a great community feel with a lot of open space and green areas and it provides people that can't afford a larger home to live in a house that's like a larger house with glazing on two or three sides of each room and a lot of really great aspects to it. So, I encourage all the Council Members to go over there and look at that project and see it. We get nothing but compliments. Builder Magazine is about to write an article about that project over there for all of its great characteristics and I just encourage you to -- to go over there and see it and -- and try to understand that what we are doing in the City of Meridian is half that density and we have been working on this thing for a long time with -- with staff and, to be honest with you, we are getting worn out. We have got other projects that we need to focus on and I hope you will consider Bill Parson's suggestions as far as the phasing and dealing with the -- the mobile home park and the other issues, so that we can get moving with this project.

Simison: Council, any further -- I think we have at least one person who is here to testify. Are there additional questions you would like to ask the applicant at this time or can we at least hear from the public? Okay. Thank you.

Johnson: Mr. Mayor, Lucy Leavell. I apologize if I mispronounced that.

Simison: Appreciate you being here this evening and when you get up to the mic if you can state your name and address for the record.

Leavell: My name is Lucy Leavell. My home is just outside of the Meridian city limits at 2720 South Aerial Lane. However, I am the primary owner of the complex that is on the east side of this project, the Creekside Harbor Complex, which is on the east side of this and I do have concerns and my concerns are almost conflicting in a way, because I am very concerned and have been for years about the conditions in the trailer park and also the conditions of the trailers. I would submit to you that we have people already who are in substandard housing and I -- that concerns me. It also concerns me about the looks of the place. I don't know if you have driven through it or even driven down Badley, but it looks not like we want Meridian to look. It's not -- I won't say it's not kept up. I don't know what the -- how they keep it up, but there are all kinds of vehicles, both working and nonworking and various trailers and we have had to complain when they were stacking lumber next to our fence and making it pretty bad and that was the -- the tenants of the trailer park. That was not the owners doing that. I'm sure -- I talked to Mark several years ago about buying the first -- what is going to be their first phase. I personally could not see putting two-story buildings where I would have windows overlooking that portion of the trailer park. I'm sure that part of the trailer park is in better condition than some -- some other parts, but I couldn't -- I wouldn't ask tenants to rent an apartment that looked down on that and so that's a concern for me. It's also a concern I have for the people that are doing this project. I don't think that -- I just don't know if it's feasible to build just the phase one of their apartments, because there is a lot of infrastructure work that has to be done with that particular portion. I'm not sure if it's almost unfair to them to require that that's the only part they can build until they get this loan extended. I'm also unclear as to whether -- if they can't change the use of the trailer park, if they need that income for the four years of this -- the loan, I'm concerned that we are overlapping our four years. They need the income, they need people to stay there for those four years and, then, we are talking about giving people the four years to move out. That seems a conflict to me and I'm concerned about that. I have -- I have great respect for Mr. Arnold and for the owners of this property and I think they will do a very good job, but I'm very concerned about the conditions in the trailer park, both for the people that live there and the people that have to look at it. I thank you for your time.

Simison: Thank you. Council, any questions? Thank you. Mr. Clerk, do we have anybody else signed up? I do still have one other person online.

Johnson: We did not, Mr. Mayor.

Simison: Okay. That may be somebody for our next application, but if you are online and want to provide testimony, please, use the raise your hand feature. Seeing no one, would the applicant like to come forward for any additional comments -- additional final comments, however you want to see them.

Arnold: Mr. Mayor, Members of the Council, again, Steve Arnold. You know, just looking at these pictures you can see that there is something there that needs to be cleaned up and the intent is -- and that's with this project was to do exactly that. The feasibility of development and whether it makes sense to do what they are doing financially, I leave that up to my clients and these guys have done several projects with, so I'm not worried about the feasibility. I think they have got their numbers figured out. I think the biggest thing that I hear tonight moving this forward is having a plan to help relocate our -- our neighbors that are living there so a lot of -- several Council Members can feel secure about making a decision on doing a rezone and that -- nothing wrong from the Council or the Mayor up until now. It's -- I know Mark expressed -- we have been working on it a long time. But we finally got it here, so that -- that's a good thing. But, yeah, we have been working on this a long time and anything that the Mayor and Council can do to help speed things along would be greatly appreciated. I do like Mr. Parsons' idea about the -- having a development agreement in place before phase two. Maybe we have a development agreement that includes the discussion for the relocation before we even sign something. I'm not getting warm and fuzzies from that, but I'm trying. But, yeah, anything that we can keep doing, even if it's to move us to the next agenda that -- and put us first, of course. But I will stand for any additional questions. I think I answered --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. I would be hesitant to ask you as an applicant to contribute or commit a certain amount of dollars to these residents individually. I -- I don't -- I don't feel like it's our -- that -- that we should ask that specific of -- of detail from you, but I'm curious -- that's just my opinion. I can't speak for fellow -- for my fellow Council. I do want to see -- so -- so, when we are asking you about -- about potentially helping folks relocate, we all might have different ideas about what that looks like and I don't think we can really truly condition that in -- in the sense of telling you how to go about that. The most important concern for me is that you be having conversations with these folks and it's a very, very big deal to talk to -- how many -- how many tenants are in there?

Arnold: That question was asked before. I'm not a hundred percent sure.

Perreault: Okay.

Kelly: There is approximately 40 spaces.

Perreault: It would be a big ask to ask you to individually go have conversations with each tenant about what their needs are, but I noticed that there was not any written testimony -- and I don't know what the neighborhood meetings were like. Maybe you can give us some feedback on that. But I would just encourage you to have additional conversations with the tenants individually. I assume Mr. Kelly owns this land and it's being managed. Did I understand that to be the case?

Arnold: That's correct.

Perreault: Okay. I think starting from there there may be solutions that you can help present to them that -- that are potentially even easier than we anticipate. So, I don't want to sit here and have us kind of, you know, throw out ideas. I -- I would be much more inclined to encourage you to just have conversations. I assume you probably already have had some and -- and just find out what -- what it is they would expect to have happen. Hopefully not the sun, moon, and stars. But the reality is even if you were to provide them with some funds to move to a different location, they are still going to have to pay a little more rent in Meridian and there is no way no matter -- I mean we could build out everything that we have in the pipeline and we are still not going to come even close to the number of units we would need to start driving rental prices down. It's just not there. It's going to -- we are -- we are years out from that. So, the only thing to do is stop demand -- or slow demand; right? And we have no control over that whatsoever. So, my encouragement to you and what I would like to see happen when you come back before us is to see that you have had conversations with the folks that live there, get actual information about what it is they feel they need and, then, do your best to guide them in that and that's all I would expect me individually as a Council Member from you in that regard. But I can't speak for everyone else. But that's something that I will be watching for.

Arnold: Council Woman Perreault, I think that would be great and I would like to hear from the rest of the Council as to what they are looking for as well. I -- I know there is no specifics that you want to ask as a requirement, but at least give us guidance of what the main concerns are. I will tell you, though, we did have two neighborhood meetings -- three and these guys were notified. There was -- no one showed up. So, it may be a challenge. Maybe we go out there with a board or something.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. Well, this is challenge. I think -- I -- I feel a little differently in terms of what -- I -- I think a good plan would involve some type of -- either relocation assistance or some sort of plan. I -- I think it's very fortunate that the owner is building this other park. It could be a tremendous option to help. I -- I don't know what form it needs to take, but it would have to be, you know, something along those lines for me personally. Another option -- and it's just exploring, but another option could be during -- if you were to take a continuance -- certainly the city has worked with our partners at

HUD and, you know, Idaho Housing and et cetera, you know, and maybe there is -- maybe there is something to be explored. We recently built the first affordable -- well, at least helped contribute to the first affordable housing project in Meridian that will be built. You know, perhaps there is appetite to explore some sort of a partnership between you and others to try to maybe set aside a portion of the future product as, you know, more affordable. Again that would be kind of trailblazing. So, it's sort of hard to like come up with an idea right now; right? And I understand you are frustrated. Well, the owner especially is frustrated, because of the amount of time you have been working on it. But I just sort of feel like Meridian should take care of its own people and so, you know, if we ever were going to expend resources to try to come up with some sort of a public and private partnership, this kind of a situation feels like one where we should look at how much would the city, you know, ultimately be subsidizing homelessness compared to actually contributing toward housing that's not substandard as it is now. So, I don't know. This is a big conversation. I just -- I think there could be more creative options besides just moving people to Ontario. I think that is a -- a viable option to explore, but it makes me sad that we would be sending people outside of our community. So, I don't know. So, that's just some feedback, though. I -- I appreciate you have been working on it for a long time and it's a -- it's a tricky project. I personally like the cottages. I don't -- I don't have any issue with the product at all. I think it's -- I think it's beautiful. I -- I think it -- it really reminds me of a starter home, something that we rarely see. I -- I like the approach to it and I -- so, I don't -- I don't have concerns around the product itself, I just more have continued concerns around the -- how we can try to navigate through the mobile park residents. That's my main concern. That's it for me. I -- I would recommend a continuance personally, because I couldn't get there tonight and, then, hopefully, city staff could also explore alternatives as well in that time.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just to add my thoughts on this. It is a difficult one. You have a situation where you have got vacant land and you can do in-fill. You have substandard housing and there really is no place for these people to go at the level of income that there is. I mean that -- there is no place to go. At the same time, if we do not do anything it will not change. It will continue to be what it is for a very long time and will continue to probably deteriorate. So, I -- I was intrigued by Bill's solution, you know, because that -- it -- there -- that's a plan of action. Okay. We are going to make something happen. What it is we don't know yet. But we will get there and we do have the element of time. It's not saying, oh, in three to six months we are going to do X. You have got four years, approximately, to figure out what that is. But you have to have a plan in place and begin that process to make it happen and -- and we know the retail is going to likely be retail, might be reconfigured in -- down the road in phase three. We can -- you know what's going to happen in phase one. We are going to have a good idea of phase three. What's phase two going to be like. Okay. We don't know. And that is what we would have to work on over that period of time to get to that -- get to that point. I mean are we ready to approve a trailer park in -- in Meridian for people to park trailers on?

No, because we don't have any zoning that would -- would allow that I -- I don't think. It's -- it's -- it's a situation that it remains status quo or it changes completely and -- and to leave it status quo isn't necessarily what we want to have. So, what do we do? That's my -- my dilemma that I'm trying to work through. And -- and I think Bill has -- gave us an option that I think that should be worth discussing. Now, if we want a continuance to think about it and maybe Steve and Mark, you know, mull things over a little bit, what would that look like? But at the same time we know funding is -- is the issue. How do you revenue stream this thing and make it work. I -- I don't know, but -- anyway, that -- that's where I am. We are either going to just not touch it and leave it until -- let somebody else on another council deal with it or we try to figure something out with the plan that's in front of us or we just wait for someone else -- they sell it and somebody new comes in and gives it another try. So, anyway, that's -- that's just my thinking, what's running through my head.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. Maybe a question for staff or a -- so, one of my concerns is that the refinancing market changes or the -- things change and that this displacement of folks could happen earlier than four years. Is that possible or is -- or is it no earlier than four years? Because I didn't see at least that -- that language.

Simison: Just from a practical standpoint, displacement of these people could start in 30 days. I mean just so everyone's clear, I mean they -- they could cease to be a mobile home park in 30 days if they so chose to be.

Perreault: Mr. Mayor? I understand, but I'm just trying -- I'm trying to think of like is there a practical way to go about this? If there were four years maybe the city would have time to try to work with the applicant on, you know, an affordable housing project in this location or something -- some -- setting aside a portion of the apartment units or something. I'm just concerned that we are going to approve the zoning change and, then, you know, we have no leverage and there is no plan and if there is a plan it's not flushed out and it just feels irresponsible to me to -- to go about it that way.

Overton: Mr. Mayor?

Allen: Mr. Mayor? Oh. Excuse me. Council Woman Strader, Council. There is a provision in the development agreement that the final plat for the second phase of development shall not be submitted to the planning division for a minimum period of four years from the date of approval. The preliminary plat to allow residents ample time to find other housing prior to redevelopment of the site. So, there is that provision, but -- but, like you say, the owner of the property could terminate the use before then. We can't control that. Thank you.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: I want to echo what Councilman Hoaglund said and also just kind of point out the obvious. This property owner can give these folks 30 to 90 days right now, regardless of anything we do tonight and, then, he can walk back in and say, okay, I don't have any residents. Here is what I want to do. I think we are getting hung up on something that's going to happen. When it happens I don't know. But I think we are getting hung up on something that's going to redevelop that's not in our control and we want the best for the people that are there, but, in reality, that's also still not in our control. It can just be our best wishes as we go forward.

Parsons: Mayor, Members of the Council, if I can just kind of vet that solution I proposed earlier. I think what Sonya just explained -- condition covers that. It kind of slows down that from happening. But to your point it is a complicated topic and there is a lot of moving parts to it and that's why I felt if we allow them to get something going on the first phase and that allows us adequate time to work with the applicant and get a lot of those I's dotted, T's crossed to try to find -- get a plan in place and make that happen. I don't think -- I think from staff's perspective a continuance for four to six weeks isn't going to get you a plan that you are looking for. This is going to take probably months or more. We have been working with this applicant for over a year on this application. We have been processing it and I have been talking with them about it for at least four or five years. So, to -- to the applicant's credit they are -- they are bringing forth their best effort. They understand this is a concern. They actually want to put the four year clause on themselves, because they want to make sure they do the right thing. But I think from -- from our perspective, getting something -- it's a trade-off; right? They are asking for a rezone. They are asking for a subdivision. We don't have 3rd Street constructed, so there is -- there is an incomplete street here that provides another public benefit here. So, there is a lot of good things happening, too. But there is always that -- that difficult conundrum that we put ourselves in when we look at redevelop and trying to -- to make things work. So, again, it was one solution, but certainly happy to allow you to continue having that dialogue. But, again, I don't -- I don't know if a two or three months continuance is going to get you what you want.

Allen: Mr. Mayor, may I?

Simison: Yes, Sonya.

Allen: Another -- another option might be to go forward as Bill is proposing and, then, maybe require a modification to the development agreement prior to this -- that second phase redeveloping, so that the applicant can come before you again there and -- and explain, you know, maybe some options for -- for housing for these residents. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Can you roll through that one more time, Sonya?

Allen: Yes. Mr. Mayor, Council, what I was suggesting is going forward with Bill's proposal, allow them to go forward with the first phase of development and, then, prior to any development occurring in that second phase, have the applicant come back before you for a development agreement modification. Like, for instance, including a provision in the development agreement now that says that the applicant shall come back prior to redevelopment of the second phase of the project with a proposal for housing for these residents that will be displaced.

Hoaglund: Mr. Mayor?

Simison: Councilman Borton just unmuted and so the wise --

Hoaglund: I will let Councilman Borton go ahead.

Simison: Councilman Borton.

Borton: Thank you, Mr. Mayor. So, I appreciate the discussion and -- and particularly mindful of concerns of Council with regards to kind of a unique gentrification issue for the city and there are very well might be conditions like Sonya and -- and Bill are talking about, alternate ways to try and capture some control over a plan or even some context to -- protection for some of these concerns. I don't think it needs to be a month or two months and -- and Steve's a seasoned planner who probably in two weeks could outline and -- and pinpoint the specifics of two or three different ways you might -- as a Council we might capture this concern and be protected, whether that's through a DA mod, whether that's through approving everything except the CUP on the multi-family. There may be several different ways that we will have some -- some trigger to control these concerns. I don't know if you are going to solve it tonight necessarily. I just -- the discussion there is -- is -- I think it's well reasoned. It's making me pause and think about this application. I think these are concerns that sounds like the applicant's contemplated. Steve certainly thought -- thought about it and our planning staff's thought about it. But I envision in two weeks being able to provide to us a list of -- now that we understand the concerns with displacement and how this four year window might work, I bet Steve could put a fine point on it and say here is two or three different ways I think we can become comfortable with approving this, knowing there is some future review. I just think it's difficult to try and -- to try and articulate that language right now in light of this discussion, with one example and I will be quiet, but -- but Council Woman Strader brings up the -- the reality of, you know, providing a plan for how it will be addressed -- can mean a variety of different things and it could be a superficial plan that merely checks a box and this doesn't really address any of the concerns, but the horse is out of the barn, so -- that's not this applicant's intent, but there really is going to be some careful language needed however this is addressed, which is why I'm quiet and -- and pondering the concerns. So, I respect the -- the questions from my fellow Council Members on it. I think the mind and heart is in the right place. It might take a couple weeks to come up with some specific language, at least in my mind.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I had a question for Sonya as you were talking and that is -- and it gets into -- I think what Councilman Borton raises -- is if we were to approve something and say, okay, we will do the rezone, but, then, we will -- we will allow phase one to proceed and, then, we will wait on phase two, you know, if we do that rezone, then, they have got ability to go forward and -- and how do we adequately condition or DA or however we do that and that's why I'm -- that's why I think -- I think Councilman Borton has good words of stepping back and, okay, thinking this through, having the applicant kind of look at this and consider some things, having staff -- we have started down a path of a possible solution, but then, how do we make sure the appropriate things take place at the right time in the right way, because I -- it is -- I don't know what those really are, to -- I don't want to miss something that is important, but -- so, Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: We -- we do have some options if we want to continue this. We have -- I don't know what the hearings are, but we have three hearings on June 6th. We don't have any hearings scheduled at this time for the 13th. That's certainly can change. And, then, we have four on the 20th.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I'd almost -- with that information share with Steve and Mark and kind of get some of their feedback as well. You have heard three dates kind of proposed. Is there any of those three that work better for you than others, recognizing you want to move quickly on this, but --

Arnold: Yeah. Mr. Mayor, you know, Councilman Cavener, the 13th I believe I have freed up. The 20th I have freed up. The 6th I believe I have another hearing at a different jurisdiction. So, the soonest that we could come back would be the 13th. Although maybe we don't need to come back.

Hoaglund: Mr. Mayor --

Arnold: This is the only issue.

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor, I wanted to ask staff, though. How -- what -- what does that -- does the 13th work for you to come back and have further discussion on this and -- because I think you do other things on other nights, too. I -- I'm not sure. I don't know.

Allen: The 20th might be better just to allow a little extra time for both parties and, then, to prepare a memo to get out to Council a week before the hearing as per the deadline.

Hoaglund: Yeah. We -- we don't have a meeting next week and, then, we won't do the 6th and, then, the 13th, so that would be three weeks, but we can do the -- do the 20th. We do have four hearings, but I don't know what those hearings are, if they are nice simple short plats or long and involved other type of projects.

Allen: They are pretty simple. There is a time extension, a final plat, and two vacations.

Hoaglund: Oh.

Allen: So, those should all be -- those are all mine. But they should all be pretty quick.

Johnson: Mr. Mayor --

Allen: And this project, of course, be first.

Arnold: Cool.

Hoaglund: And, Steve, you were -- you were okay on the 20th; correct? It was the six that you had complications with?

Arnold: Yeah. The only one was the 6th.

Hoaglund: Okay.

Arnold: 13th or 20th works.

Hoaglund: Okay. Council, are we in agreement that -- then I -- I -- I would move that we continue --

Simison: Councilman Borton, were you -- looked like you were --

Borton: Yeah. But I was just going to -- I can comment after the motion, but just some comment for -- for Steve and the applicant. A couple of things. One we are -- we are mindful of the -- the multitude of variables that impact the -- the relocation of individuals and we are also mindful of the massive risk that you take in trying to get a project like this off the ground and do a rezone and are appreciative of those efforts. I think it's a -- it's a beautiful project with lots of challenges that we are -- we are wise to be cautious and appreciate your patience to make sure we don't get language that's -- that's well-intentioned, but actually screws it up and we are back trying to do a modification down the road. So, again, just appreciate the work. In-fill projects and -- and resumes are -- are tricky. This is one of them for sure. So, I -- I think what I heard us ask of you is -- and I think -- I think a timeline exhibit would be helpful as well to illustrate what you have talked about with the rollout of phase one versus two and where the lending gap

prohibits advancing phase two. I think that's going to help articulate the time frame that you are providing to these residents to prepare for relocation and however that might work. I think that will be helpful as well. Thanks.

Simison: And maybe just to help. Are there any concerns with the underlying project that Council would like to raise or make sure it will be addressed? I didn't really hear any other than lights on the pathway, but we are going to put this first. Are there -- I just want to make sure that we are making sure everything is addressed coming back or is it just the plan at this point in time that Council is concerned about? I'm not asking for your -- to tell how you are going to vote, but anything else specifically? Okay.

Hoaglund: So, Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I would move that we continue the public hearing for Promenade Cottages Subdivision, H-2022-0013 to June 20th.

Cavener: Second.

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

MOTION CARRIED: ALL AYES.

5. Public Hearing for Sky Mesa Highlands Subdivision No. 1 (H-2023-0024) by JUB Engineers, located at 6380 S. Cubola Way.

- A. Request: Vacation to vacate 0.5 feet of the 5-foot side yard public utility easement on Lot 37, Block 1, Sky Mesa Highlands Subdivision No. 1.

Simison: And just ask staff -- next item looks pretty quick, so -- seem accurate? Okay. So, we will go ahead and move on to Item 5, which is public hearing for Sky Mesa Highlands Subdivision No. 1, H-2023-0024. We will open this hearing with staff comments.

Allen: Pardon me, Mr. Mayor. Alrighty. The final application before you tonight is a -- am I sharing? Yes, I'm sharing. Okay. Is an easement vacation. This property is zoned R-4 and is located at 6372 South Cubola Way. This property is platted as Lot 37, Block 1, Sky Mesa Highlands Subdivision No. 1. The applicant request to vacate the southerly .5 feet of the five foot wide side yard utility easement along the northern boundary of Lot 37, Block 1. A property boundary adjustment was recently approved that shifted the northerly side property line .5 feet to the north. The applicant states there are no underground or overhead utilities in the subject easement area.

Relinquishment letters have been received from all potential easement holders consenting to the partial vacation of the easement as proposed. Staff is recommending approval and no written testimony has been received on this application.

Simison: Thank you. Council, any questions for staff? Okay. Is the applicant here? Would the applicant like to make any comments? Applicant has waived any comments. Is there anybody from the public who would like to make any comments? No one's online either, so that would be a no as well. Applicant waives final comments? Okay. Council, what's your direction?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I move that we close the public hearing.

Cavener: Second.

Simison: 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: Seems straightforward. Thank you for hanging in this whole evening with us. We appreciate it. I would like to make a motion. After considering all staff, applicant -- and applicant testimony -- non-testimony, I move to approve File No. H-2023-0024 as presented to the staffing -- staff report for today's hearing date.

Borton: Second.

Strader: Have a motion and a second. Is there any discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: ALL AYES.

FUTURE MEETING TOPICS

Simison: Thank you. Have a good evening. Anything under our future meeting topics?

EXECUTIVE SESSION

6. per Idaho Code 74-206 (1)(j) To consider labor contract matters authorized under section 74-206A (1)(a) and (b), Idaho Code

Simison: Or do I have a motion for Item 6?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I would move that we go into Executive Session for Idaho Code 74-206(1)(j).

Cavener: Second.

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

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

Simison: All ayes. Motion carries and we will go to Executive Session.

MOTION CARRIED: ALL AYES.

EXECUTIVE SESSION: (8:50 p.m. to 9:53 p.m.)

(Motion to return from Executive Session - Hoaglund. Seconded by Cavener.)

(Motion to adjourn – Hoaglund.)

MEETING ADJOURNED AT 9:54 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK