

A Meeting of the Meridian City Council was called to order at 6:00 p.m., Tuesday, February 9, 2021, by Mayor Robert Simison.

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

Members Absent: Liz Strader.

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

ROLL-CALL ATTENDANCE

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

Simison: Council, I will call the meeting to order for the record, February 9th, 2021, at 6:00 p.m. We will begin this evening's agenda with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: Our next item is the community invocation, which tonight will be given by Vinnie Hanke with Valley Life Community Church. If you all would, please, join us in the community invocation or take this as a moment of silence and reflection.

Hanke: Mayor, City Council Members, it's good to be in the building with you for the first time. Thank you for your hospitality in allowing me to come and pray for you and for our city. God, we thank you for the opportunity to be meeting in this place. We thank you for the way that you continue to govern and sovereignly rule over all of our lives. God, we lift up the City Council Members to you this evening. We ask that you might continue to protect them. You might grant unto them wisdom and discernment as they consider the items on their agenda. Each of them consider it a privilege and a humble blessing to serve the city. We pray for its citizens, for its teachers, for its students, for its healthcare workers, God, for all those who have suffered and endured during this pandemic. We

thank you for the steadfast leadership of the City Council and pray that you might continue to bless them in it. We ask these things through Christ, amen. Thank you.

Simison: Mr. Hanke? Mr. Hanke, do you have a City of Meridian pin? I don't think so.

Hanke: I do not. No, sir.

Simison: We would like to -- just a small token of our appreciation. Thanks for showing up in person.

ADOPTION OF AGENDA

Simison: Next item is adoption of the agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: We got our business covered in our workshop Executive Session, so I move that we take off Item 6, our Executive Session. With that I move that we adopt the agenda as amended.

Hoaglun: Mr. Mayor, I second the motion.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

PROCLAMATION

1. Black History Month

Simison: Next item is a proclamation for Black History Month and I will go down to the podium and as President Taylor with the Treasure Valley Chapter of the NAACP to join me there. So, Council, this is Black History Month and to my knowledge this is the first time we have celebrated in Meridian with a proclamation for Black History Month. But during the actions which occurred during this last year it was an opportunity to open doors for several of us here at the city and create relationships with members of our community, specifically President Taylor, and so we are going to read a proclamation and, then, ask him to say a few remarks in celebration of this month. So, whereas during Black History Month we honor and celebrate the many achievements and contributions made by African Americans to our economic, cultural, spiritual and political development and whereas Black History Month grew out of the establishment in 1926 of Negro History Week by Carter G. Woodson and the Association for the Study of African American Life and History

and whereas the 2021 national theme for the observance is The Black Family Representation, Identity and Diversity, and whereas the observance of Black History Month calls our attention as a community to the need to have a society that stands up and supported the lives of all of its citizens and lives up to our democratic ideals and whereas we are all able to live better lives and have a brighter future thanks to the contributions that have been made of African Americans in our community, state and nation. Therefore, I, Mayor Robert E. Simison, hereby proclaim February 2021 as Black History Month in the City of Meridian and encourage the residents of our community and communities across the country to learn more about and celebrate the diverse heritage and culture of African Americans to continue our efforts to create a world that is more just, peaceful, and prosperous for all. Dated this 9th day of February 2021. So, thank you very much for being here and would love to have you say a few words.

Taylor: Thank you, Mayor. It is, indeed, a pleasure that you invited me to this meeting tonight and I have a few comments that I want to make concerning that -- you know, as we talk about Black History Month, the thing is the black family. So, you know, the story -- the history of the Black History Month begins in 1916, a half a century after the 18th Amendment was written abolishing slavery in the United States. But by the 19 -- by the late 1960s, thanks to the civil rights movement, then, President Gerald R. Ford officially recognized Black History Month in 1976. The 2021st Black History Month theme is black history family representation, identity, and diversity, is a theme which emphasizes just how abstract a notion of family can be -- that the experience of black families in particular are not a monolithic history visualized in film study by psychologists, anthropologists, and social policy. A representation, identity and diversity has been referenced. They are attacked, vilified from the days of slavery to our own time. The black family knows no single location, since family reunions and genetic ancestry such as testified to the split of family members across states, nations, and even continents. Not only are the individual black family disparate, but Africa itself has been portrayed as a black family a lie. That's why the rules of the black family has been described by some as a microcosm of the entire race, it's complexity in the foundation of African American life and history can be seen in numerous debates over how to represent the meaning and typically from an historical perspective as a slave or a free person as a single headed family or a dual headed family -- as extended or nuclear, as kin or blood, of legal or common law and as black or interracial, variations appear in discussion on the nature and impact of parenthood, childhood, marriage, gender norms, sexuality and incarceration, the family offers the rich tapestry of images for exploring the African American past and present. But despite the negative pathological images of black families portrayed in the 1950s, the justification for slavery in the 20th century, government policy reports, the march of time has proved that the black family best represents the source of perseverance, resilience that brought African America through centuries of enslavement, Jim Crow Law, black cause and glaring racial inequalities that continues to this day. I am particular heartened by the fact that the City of Meridian make this some would say a small step, but I will say this is a giant step forward. It being the first time that in our memory that this has happened. It tells me that there is a change coming. People realize that there is a change. And I am so thankful that you, Mayor, and to the City Council, for taking your time out and trying to show the African American community the community of color, that

you recognize their contributions to our society. I want to thank you from the bottom of my heart for the time and the effort that you put into this. Thank you very much.

Simison: Just thank you, President Taylor, for those kind remarks, as well as the sharing some of the history for us here. That's what this month is really about, educating, taking those small steps, long overdue steps. So, also a little City of Meridian pin for you real quick and, Chris, could we get one more quick picture, because -- just with the proclamation in front.

Bernt: President Taylor, before you leave, thanks for coming. Let Vic and Willie and -- and the others know how much we appreciate what you guys do.

PUBLIC FORUM – Future Meeting Topics

Simison: Okay. Council, moving on. Public Forum. Do we have anyone signed up under the public forum?

Johnson: Mr. Mayor, we did not.

ACTION ITEMS

2. Request for Withdrawal of Application for Vicenza North Subdivision (H-2020-0108) by Bridgetower, LLC, Located in the Northwest Corner of N. Ten Mile Rd. and W. McMillan Rd.

Simison: Okay. With that we will move on to Action Items for this evening then. Our first action item up is a request for withdrawal of the application for -- we will just say H-2020-0108 and I will turn this over to Joe. Mr. Dodson, you are muted. We need you to get closer. It's hard to hear you. Joe, we can't -- can't hear you. Try harder. Joe? Joe, are you there? Joe, did you just unmute yourself?

Dodson: Yes. I apologize. I was muted.

Simison: All right. There you go. We are good to go.

Dodson: Thank you. I apologize, I missed what was happening right now.

Simison: I just turned it over to you to discuss the request for withdrawal of H-2020-0108.

Dodson: Yes, sir. Thank you, Mr. Mayor. Yes. The applicant, after discussion with staff and following the Commission hearing of -- and recommendation of denial, they are hoping to withdraw their application, so that they can kind of go to the drawing board with myself and the rest of the Planning Staff, especially long range and economic development, and try to develop a site plan and overall Comprehensive Plan of this area to the north and west of the Walmart on Ten Mile and bring a better plan forward to

Planning and Zoning. Rather than a remand they -- they want to withdraw it, so that they can have more open conversations and not be tied to what has already been presented.

Simison: Thank you. Council, do you have any questions? Okay. Is the applicant's representative present or do they want to make any comments? I don't see them.

Dodson: I do not believe they are present. Okay. They are -- they are not present. Council, do I have a motion?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: When we withdraw this application do we -- is there a date that we need to use or do just -- is a withdraw sufficient?

Nary: Mr. Mayor, Members of the Council, you just need to accept the withdrawal.

Bernt: Okay. Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we accept the withdrawal of application for Vicenza North Subdivision, H-2020-0108.

Hoaglun: Mr. Mayor, I second the motion.

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

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

Simison: All ayes. Motion carries and the item is withdrawn.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

3. Public Hearing for Tetherow Crossing Subdivision (H-2020-0112) by Hayden Homes Idaho, LLC, Located Northeast of N. Linder Rd and W. Ustick Rd.

- A. Request: Annexation and Zoning of 7.58 acres of land from RUT in Ada County to the R-8 zoning district.

- B. Request: A Preliminary Plat consisting of 46 building lots and 8 common lots on 13.99 acres of land in the proposed R-8 zoning district.

Simison: Next up is a public hearing for Tetherow Crossing Subdivision, H-2020-0112. We will open this public hearing with staff comments and I will turn this over to Alan.

Tiefenbach: Good evening, Mayor and Members of the Council. Alan Tiefenbach, associate planner, with the City of Meridian. This is an annexation, zoning, and a preliminary plat. The property is a little more than seven and a half acres. It's zoned RUT in unincorporated Ada county. It's located northeast of North Linder and West Ustick Road. West of the property is zoned C-C. It's currently vacant. It's also R-15 to the west. And the Eddington Commons, which I will talk about in a minute, is what you see as the R-15 there to the west. Recently approved. It's vacant to the east. Vacant to the north. There is three parcels to the north. Both -- or all three of them are owned by the same person. Those are all vacant and it's about four and a half acres. To the east there is two different owners. Those properties -- one of them is in the city directly adjacent and, then, on the other side of that is still within the county. Those are approximately three and a half acres. A little bit of history on this. There was a previous proposal to annex this and rezone it to R-8. This was in 2006. It was to allow 35 single family lots. This was subsequently denied by Council. Most -- probably the biggest reason is because at the time it was believed that it was piecemeal development, which it was, they didn't have much infrastructure in place and the other thing hadn't developed at that time. At this time, however, city property has been annexed to the south, to the east and to the west of the property. The property directly to the north yet has not been annexed. The property is recommended for medium density residential, which is eight to 12 dwelling units per acre. Again, this is a proposal for annexation, rezoning to R-8, and a preliminary plat to allow 46 building lots and eight common lots. Probably easier to see the color pictures, which is why I put this one up here. Talk about access. The development proposes five points of access. There is three stubs. There is a stub to West Woodpine here to the west. There is a stub to the east here. And there is a stub to the north here. Two points of these accesses are from existing streets. That would be West Woodpine -- I just lost my cursor -- which is here. There is also an existing point of access -- access from West Ustick Road. The present access from West Ustick occurs at Llama Lane, which you can't really see here. Llama Lane is more over towards the middle and that's existing right now and there is curb cut -- or, excuse me, there is an access there. North Llama Lane is going to be closed as part of this development and the new access, which is the one you see here, Northwest 12th, this is going to be pushed over to the east and it's going to line up with Northwest 12th, which is down here to the south. ACHD supports this access. Usually they don't support accesses occurring off of arterials, but in this particular case -- first of all, this will be lining up with an existing access across the street, which is a better situation. Also the roads are being pushed further to the east. So, it's increasing the intersection spacing from what it already was. So, it's -- it's not ideal at the 1,320, but ACHD supports this, because it's taking a not good situation and making it better. West Ustick is already improved with five travel lanes, bike lanes, vertical curb and gutter and five foot wide detached concrete sidewalk abutting the site. The applicant will be required

to construct all roads -- the internal roads to 33 foot templates per the ACHD standards. Again, like I said, five -- five foot sidewalks are proposed on all sides of this development and there is one common driveway that's proposed with this development and that's what you see down here to the southwest. The development proposes 15 percent open space. This includes several small landscaped sections, which are on either side of this northern stub. There is a 25 foot buffer along West Ustick. Some of that can be credited. There are several pathway common lots. One of those lots you can see here. There is another pathway common lot here and there is two pathways at this central open space. Thirteen and a half percent of this space would meet the requirements for qualified open space. This includes that central park that you see there at the middle. Again, half of the buffer and this pet amenity and seating area, which is here. In addition, they have included an extra pathway connection. They are only really required to provide some along the streets. In this particular case they have tied into a ditch, which is at the east. I will talk about that very quickly. So, this central open space is just slightly less than an acre. It has a playground and two pathway connections. This meets the minimum requirements of 50 by 100 feet, which -- it's actually much larger than that. So, it is quality open space. It's a recreational amenity. And, then, the additional 20,000 square feet -- because this is much bigger than what's required. That additional 20,000 square feet is credited as an additional amenity. The central park, like I said, exceeds the minimum landscape requirements and also it exceeds the landscape requirements of one deciduous shade tree per 8,000 square feet. It also contains two pathways that connect to an existing pathway along an existing ditch. So, here to the east running along this ditch is an existing pathway and that is owned by the HOA to the east. This ties into that pathway and this pathway, then, connects to a regional pathway that is north from there. Because the pathways meet the minimum landscaping requirements, they are not required sidewalks and they connect to the existing pedestrian pathway and the bicycle routes, these would also be credited as an amenity. So, they are actually proposing twice as many amenities as they would be required. There is existing trees that meet the requirements for -- for preservation or mitigation, particularly in the vicinity of the ditch, which you can see there. The city arborist has noted that there are some preliminary discussions going on about which trees should be preserved. Although we have not yet received a tree mitigation plan, this will be required with the final plat. The applicant has submitted sample building elevations with this proposal. These single family homes are depicted as two story structures with two car garages and a variety of architectural elements and finish materials, including gabled roofs, dormer stone wainscotting. Some of these houses will be very visible from West Ustick. Staff recommended a condition on the development agreement that the rear and sides of two story structures visible from West Ustick would incorporate minimum architectural requirements. The Planning Commission heard this item on January 7th. At the public hearing the Planning Commission moved to approve the subject annexation. There was one citizen that showed up and identified himself as Rick Wagner, who is the owner of the property directly to the east. He had really was more informational questions. He wanted to make sure that the ditches were not going to be interrupted or impacted. He also requested that the applicant construct some kind of barrier along the eastern property line. The Commission -- one of their comments -- and I will sort of back up here if I can. One comment of the -- or question of the Commissioners was whether or not this open space backed directly to adjacent houses

to the east. It does not. There is a common lot that is to the east. It's owned by the HOA and, then, the houses. So, there is some space between where this open space is going to be and where existing houses are. Probably the -- the biggest -- well, let me -- I will come back to that. There was also some discussion in regard to the property owner to the north and what kind of impacts this would have. The applicant's representative talked to the property owner to the north and they agreed to keep houses to one story on the northern lots. So, that would be Lots 2, 3 -- 2 through 5 on Block 2, which is what you see here to the north. So, the development agreement would limit these only to one story to reduce impacts to the north. There was also a condition by the Planning Commission that was added to add vinyl fencing along the border. So, the vinyl fencing would basically come from where the park is south and, then, from -- where the park is north. I believe the applicant is amenable to that. Probably the biggest issue of discussion or with the Planning Commission was how this property interacts with the property to the west. If you remember I mentioned that there is a property that's zoned -- well, there is Eddington Commons to the northwest. Then there is a commercial zoned property that's directly to the west and at one time there was a townhouse project that was proposed there. That project ultimately did not happen, so it's still a vacant property. There was quite a bit of this gushing about this. The -- the Planning Commission wanted the Council to know that this was an issue that they had significantly discussed. They were concerned about what kind of development potential would be on this western lot if there was not a connection provided -- provided from this lot to the subject property. The applicant, after Planning -- so, they wanted that to go to the Council, so the Council knew that they had a concern about that, even though they really didn't make a recommendation, other than the Council -- they wanted the Council to know they had a concern with that. Following the Council meeting, the applicant held a meeting with ACHD to talk about that issue. ACHD did not want to see a connection to this western lot. They had issues with cut-through access. Originally I know there was some discussions about self storage and some other things there, but ACHD is not amenable to that connecting. Also there was a development agreement that's already in place for the property to the west and that development agreement does not require an access to the east, so -- so, again, staff does acknowledge that Council -- or the Planning Commission had some issues. The applicant also understands that the Planning Commission had some issues and they did have quite a lengthy meeting with ACHD and it is our opinions that -- as well as ACHD's opinion, that that should not be connected. With that staff recommends approval of this annexation, zoning and preliminary plat, with the conditions that are listed in the staff report. And I will stand for any questions if you have any, Council.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Well, Alan, where do I start? I heard -- I have heard applications on this corner, both when I was a Planning and Zoning commissioner and I have heard two I think with City Council, something like that. Each and every time we have a conversation this -- we

do have discussions about what's happening with the surrounding properties. So, my question for you is -- is -- if I remember correctly, the residential development that was approved that's currently in development to the northwest does have a stub street that would allow the commercial development directly to the west to exit; is that right? Because I don't think that ACHD was allowing any kind of exit from that commercial piece onto Linder Road at any point.

Tiefenbach: That's my understanding. The connection wouldn't come directly from this property, the connection would come through the Eddington Commons into this property. That's that stub that you see to the north and the west.

Perreault: So, if ACHD -- perhaps I'm not understanding their concern about pass-through traffic in a neighborhood, whether it comes through the east or whether it comes to the north, we have pass-through traffic in a neighborhood from that commercial piece.

Tiefenbach: I'm not sure if I have a quick answer to that question, Council Person.

Simison: And we do have -- Kristy is here from ACHD. Perhaps that would be a question better suited for her to answer.

Perreault: Thank you.

Simison: Kristy, if you are with us. I don't know if you have any comments.

Inselman: Sorry about that. I'm making dinner while I'm also attending your wonderful City Council meeting. So, the question was the access to the east, because that goes into a residential development --

Tiefenbach: To the west, ma'am.

Inselman: To the west.

Tiefenbach: Yeah. Whether or not the Eddington Commons would allow access from the commercial lot and why that's not an issue versus the pass-through traffic from the property to the west directly.

Inselman: That is likely something I would have to touch base with the planner on this application. I wasn't involved in those conversations with the developer on this one, so -- and there is nothing in the staff report that talks about that. So, that's something, I apologize, I would have to get back with you guys on.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I think Council Woman Perreault just won the game. Stump ACHD for the evening.

Inselman: Good job.

Perreault: Mr. Mayor, if I may.

Simison: Council Woman Perreault.

Perreault: Not to get too lengthy with this, but this -- yeah. I mean -- and Councilman Bernt can testify how many times have we -- I think -- you know, I think you also were still on Planning and Zoning when we were hearing this, too, and so I -- just to put this out there -- I know we are not in deliberation yet, but I have great concerns about what this does to the surrounding property. So, yeah, if -- I don't know if there is a -- there is probably unlikely a possibility we will get a response to that this evening, but I think that's a really critical piece to this decision this evening, so -- and one more question for Alan if I may. So, the -- in the file, there was a -- like a possibly way out for some residential lots with the property to the north. There was -- it was like a -- here is a potential design that we could have and it sounds like the applicant has had conversations with the owner to the north. Is there any additional information you can share with us? Because I didn't see any comment -- written comments in the file. That would -- where the property owner to the north said, yeah, I am in the -- you know, I am in agreement or -- or I approve or hopefully we have some of the neighbors here this evening, I really would like to hear directly as well.

Tiefenbach: Sure, Council Person. Yes, there was a concept plan that we asked the applicant to consider when they did this about how the property actually could develop to the north. I would have to defer to the applicant for any additional information about the -- any communication they did have with the property to the north -- to the north. I'm not aware of those, no.

Perreault: Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: To continue the discussion about the property immediately to the west and the commercial area that was approved, if my memory serves right, they had an access off of Ustick Road, because it was very very close to the turn lane where you turn to go south on -- on Linder. But you had enough room just to clear that to access to that commercial area. So, they had their own access point and I think the question was does this then -- you have almost like an interconnection, which ACHD does not want to have and -- and, Alan, I don't know if you were here for -- for that on that development, but that's my recollection that they had their own Ustick access point and, then, they had an exit out of when -- to -- to Linder. Any -- any -- I don't -- like I said, I don't know if you were there for that.

Tiefenbach: I wasn't there for that. I'm looking at the plat right now for Eddington Commons to see if I can come up with an answer for you.

Hoaglund: Okay. Thank you.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Sorry. I happen to be privy to a little bit of information on that corner, because I pre-app'd on that corner probably six times now with different projects. So, Councilman Hoaglund is correct that there is an access to Ustick. It would be a limited access, right-in, right-out, that ACHD has given preliminary approval for and it was approved as part of the existing development agreement. However, there -- they show an access to Linder, but it is my understanding as -- as other Council Members have said, that the access to Linder is not guaranteed for that corner parcel and that they are required to end the stub from Eddington Commons on their site in some way. My discussions with the applicant -- or potential applicant for that corner is that they need to discuss with ACHD whether any access to Linder will be allowed or they will have to use the -- go through Eddington Commons. But minimally I am under the understanding that they will have an access to Ustick. So, hopefully, that helps out Alan and the rest of you guys on your project here.

Hoaglund: Thank you, Joe.

Dodson: You're welcome.

Simison: Council, everyone clear on this as much as me?

Hoaglund: Mr. Mayor, clear as mud.

Simison: Exactly. Council, any further questions for staff at this time? Okay. With that I would ask the applicant to come forward and state your name and address for the record and be recognized for 15 minutes.

Mokwa: Thank you, Mayor, Members of the Council. My name is Tim Mokwa with Hayden Homes. 1406 North Main Street, Meridian. 83642. And I think I can shed a little bit of light on both of those issues that we were talking about earlier. I believe Alan's pulling up a PowerPoint that I had put together just to show a couple of exhibits. I'm going to try to be brief here. I think a couple of the points that have already been raised are things that I wanted to highlight as well. So, I don't think there is any reason to go back through the entire staff report. We are in agreement on all of the conditions of approval. There has been quite a bit of communication with the neighbors on this project, both the HOA to the east, as well as the -- Mr. and Mrs. Lloyd to the north. And here we go. Touchy. But let me -- let me first show you this aerial photo. One of the -- one of the items that was questioned just now -- and I wanted to ask if you guys have the ACHD

memo e-mail that sort of characterizes or summarizes our meeting with ACHD following Planning and Zoning Commission. Was that entered into the packet?

Tiefenbach: It was. That meeting -- that correspondence was in the case file and it was linked to the staff report.

Mokwa: So, just paraphrasing, ACHD does not support extension of this -- of what we have as a shared driveway and a pathway. I don't know if I can point with this -- I can't point at a screen with my laser pointer and this thing is really sensitive. But this shared drive here -- it's a shared drive to three lots and there is a pathway and landscaping along there. ACHD does not support that as an extension. We do not support that either. This is an in-fill site, seven and a half acre size, and we have already got one, two, three, four, five access points in that seven and a half acres. In our -- from our perspective I -- while I understand some of the concerns of this property to the corner, it's not -- it should not be our sole responsibility to ensure that -- that a property that doesn't even have an application in place right now is developable. I do understand your concerns and that that is a difficult property. To answer one of the questions, there are currently two -- and if I -- I can't really zoom in, but where my cursor is right now is that showing on your screen? There is an existing curb cut approach there and there is an existing curb cut approach here, as well as the Eddington Common stub here. In our meeting with ACHD following Planning and Zoning Commission, they -- you know, they are not going to be totally committable -- committed to the long term, you know, staying I guess of these two approaches until they have seen a layout and application. But in the ACHD memo e-mail they mentioned that one of those accesses may have to be closed at some point in the future. So, depending on what they submit they have got two approaches that ACHD is going to honor, depending on what -- what they submit. They have also got this other access through Eddington Commons. So, I guess that's my summary or how I would respond to those questions. If there is a follow-up question on -- on that I would be happy to try to answer it, but that's kind of where we stand and it seems, you know, from our meeting and from the e-mail that ACHD submitted that they are -- they are in agreement that bringing this -- this traffic through this smaller area of residential here is not a -- is not a good mix. The other question was the property to the north. I assume that we -- we had done a very quick layout just on how that could potentially be developed. In our meetings with Mr. and Mrs. Lloyd, who are the property owner of these three parcels, their house sits roughly right where my cursor is now. They have also got a shop in this area. Some of their concerns were their not wanting to have to -- to traverse through this existing subdivision to the east. So, they were pretty -- pretty committed or adamant to us getting this approach out to Ustick Road and in order to do that we had quite a few meetings with ACHD where we talked about alignment of this new approach here and a stub street here, so that if 11th -- I think this is 11th here -- ever were extended it could be tied to this stub as well and it's consolidating some potentially more access points on Ustick into one that is aligned with this subdivision to the south, creating a better scenario than -- than what we have existing, like Alan mentioned. So, in meeting with the folks to the north, their desire was that our stub street meet where their current driveway enters their property. Doing that allowed us to save their -- their berm and landscaping and Willow Tree back in this corner. We also agreed that we would provide an additional

easement on this lot -- I believe it's Lot 5 at that northwest corner for tree preservation and we would hold our fence for this lot back further to preserve that tree and stay out of the tree canopy and the tree roots. We also agreed, as staff mentioned, to make these four lots single story. Another bit of the communication and coordination we had on this project was our proposal is to tile this private drainage ditch along our east boundary. There is currently an existing chain link fence along the east top of slope of this ditch. Through working with the HOA management group in here and the developer or declarant of the -- the CC&Rs over here, we were able to get agreement that we could remove that chain link fence, tile this ditch, and clean up the landscaping through here, making a much more seamless common area between the two subdivisions. There will be some tree removal and we had -- I have met with the forester on site. He flagged up for us the trees that would require mitigation. So, we are doing what we can to maintain as many of those trees as possible. I don't really have more, other than I guess the main thing is just that I can answer any of your questions. Like I said, we are in agreement with all the recommended conditions of approval and ask for approval of our annexation, zone, and pre-plat.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you for this -- this graphic. This is helpful. Regarding the property to the north, would they -- if that were to develop -- I saw the concept plan. It looks like it would just be three lots. Of course that's just a concept plan. But would they, then, be -- their only access would be through this property as well? Is that right?

Mokwa: Council Member Perreault, that -- that is correct. And I should mention. Well, first of all, that layout was just a very quick conceptual just to show how, you know, schematically a subdivision or a division of that property could occur within the city. They are remaining in -- in the county. We do have on file with the title company a signed agreement by both us, as well as Mr. and Mrs. Lloyd to the north, that they agree with what we are proposing to do here and the vacation of that existing Llama Lane and so, like I said, that -- that agreement has been executed. The -- I can't think of the official name. I think you have -- have a copy. Alan, should have. That's an agreement to terminate that Llama Lane private road easement -- or private drive access easement. So, I meant to mention that earlier to answer one of your earlier questions as well. But, yes, long way about -- long -- long answer, but, yes, that is their access point and I think it's about three and a half -- three and a half acres.

Simison: Council, any additional questions for the applicant? Okay. Thank you very much. Mr. Clerk, did we have anybody signed up to provide testimony on this item?

Johnson: Mr. Mayor, nobody's signed up in advance of this hearing.

Simison: Okay. The last time I checked we did have a few people in the attendees section of this. If there is anybody who would like to provide testimony on this item in the Zoom call, if you could do so by using the raise your hand feature and we can bring you in to provide testimony. We have nobody here in the room in addition to Mr. Mokwa, so we will just give it a second. Seeing no one raise their hand -- I don't know if the applicant would like to make any final comments or just open up for questions in case Council has anything more further discussion. It looks like that's the direction we will go. So, Council, I will turn this over to you for comments, questions, motions.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just a comment. As to the -- excuse me, the roadway access stubbing off to the west, not connecting to the commercial, the letter that's been referenced, the January 14th letter from ACHD, I think does explain that pretty well as far as the reasoning behind the layout is as proposed and -- and not having that connect through. So, the applicant's comments and the remarks from ACHD in that e-mail in the packet seem to support the current layout, at least as I see it.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: And somewhat further on the connections, I appreciate the fact that they are planning ahead and -- and connecting into 11th Street when that property just to the east develops and allows that to happen, because another access is going to go away and -- and it can create one -- one single point instead of having multiple, which ACHD I think is looking for, and also it does have enough access points or other locations and pass-through areas for people to get from one place to another. So, appreciate their diligence in working on that and working with adjacent property owners and planning ahead.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: If there isn't anymore discussion, I move that we close the public hearing.

Borton: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Are there any -- before I make a motion, are there any -- is there anything I need to add to the motion specifically? Alan?

Tiefenbach: Not unless you have anything that hasn't already been addressed in the staff report, sir, no.

Bernt: Okay. With that said, after considering all staff, applicant, and public testimony, I move to approve file number H-2020-0112 as presented in the staff report for the hearing date of February 9th, 2021.

Borton: Second.

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

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

Simison: Motion carries.

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

4. Public Hearing for Mile High Pines Subdivision (H-2020-0099) by Baron Black Cat, LLC, Located in the Southwest Corner of N. Ten Mile Rd. and W. Pine Ave.

- A. Request: Annexation of 17.46 acres of land with a request for C-C (6.04 acres) and R-15 (11.42 acres) zoning districts.
- B. Request: A Preliminary Plat consisting of 3 building lots and 1 common lot on 15.95 acres of land in the proposed C-C and R-15 zoning districts.
- C. Request: A Conditional Use Permit for a multi-family development consisting of a total of 135 residential units on 11.42 acres in the proposed R-15 zoning district.

Simison: Okay. Thank you very much. Alan, appreciate it. With that we will move on to public hearing for Mile High Pines Subdivision, H-2020-0099. We will open this public hearing with staff comments and I will turn this over to Mr. Dodson.

Dodson: Thank you, Mr. Mayor, Members of the Council. Good evening again. You might be bored of my voice, but I'm going to talk to you some more. So, keep this chugging along. First item as noted for me is going to be Mile High Pines. It is a request

for annexation of 17.46 acres of land with a request for C-C and R-15 zoning. A preliminary plat consisting of five building lots and one common lot and a conditional use permit for a multi-family development consisting of a total of 135 residential units within the R-15 district. The proposed land uses are multi-family residential in the form of detached cottages, townhomes, and vertically integrated structures and so the land uses are multi-family and commercial and they are consistent with the land use types noted in the mixed use community summary. Of the 135 residential units, 87 are the detached single story cottages and 42 are the townhome units. There are also an additional 60 units within the two vertically integrated structures, 30 in each. The proposed product type is by definition multi-family, which is just more than two units on a single building lot. The applicant has designed units to emulate single family attached and detached structures that share pedestrian pathways and open space, rather than public streets. This, if you recognize it, is the sister project to the Modern Craftsman at Black Cat, a development that was approved fall last year. As shown the project is approximately eight dwelling units per acre, which means the six to 15 dwelling units per acre range for the mixed use community designation. The proposed residential area of the site incorporates MEWs, private streets, common open space and different housing designs within the same parcel. Furthermore, the applicant is proposing two story townhomes along the southwestern boundary, along here, and on part of the eastern boundary along Ten Mile, with the rest of the site being a majority of single story structures. Staff believes placing the commercial along Ten Mile offers an appropriate buffer between the busy arterial and the single story structures that make up the center of the development. The applicant is also proposing a segment of multi-use pathway along the southern boundary as required with the master pathways plan. This segment will connect to the existing arterial sidewalk along Ten Mile and to a proposed micro path that traverses the entire western boundary of the site and connects to the detached sidewalk along Pine Avenue. In addition, the proposed sidewalks within the development are essentially micro paths and connect throughout the entire site. The applicant submitted conceptual elevations for the residential portion of the site and overall they comply with the architectural standards manual. The applicant also submitted elevations showing additional color options for the detached structures in relation to a couple of my comments in my staff report. In addition, the applicant has provided conceptual commercial elevations, which also appear to show compliance with the architectural standards manual. Because this is a multi-family project and a commercial, both residential and commercial lots will be required to obtain administrative design review prior to building permit submittal. These are just some of those designs. This applicant and the applicant for the proposed project to the north and west of this project, they have entered into a legally binding agreement that outlines the options for how Pine Avenue will be constructed -- Pine Avenue extension will be constructed. In addition, ACHD has outlined different options for how this extension and road improvements can occur. At a minimum the applicant will construct the intersection improvement as half of a three lane street section. One westbound receiving, eastbound left turn, and eastbound through and/or right turn. In addition, the applicant is, at a minimum, required to extend and construct Pine Avenue outside of the area of influence of the intersection as half of a 36 foot wide street -- 36 foot wide collector street, plus 12 additional feet of pavement to total 30 feet of pavement and, then, also with five foot detached sidewalk. In addition, the applicant is required to enter into a signal agreement

for the required signal improvements at the Pine and Ten Mile intersection. Staff appreciates the forethought of the agreement that the private property owners have come to sign and are legally bound to -- should help the extension and construction of Pine Avenue go a lot more smooth. Access is proposed via one private street access off of West Pine shown here and, then, one driveway access to Ten Mile. The Ten Mile access that is proposed is proposed as a full access. ACHD is requiring that the applicant construct a southbound right turn lane on Ten Mile Road for safer southbound access into the site. You can kind of see the line work here, which was a revision following the condition meeting. The applicant is also proposing an emergency only access through one of the private drives to connect to a cul-de-sac in the adjacent subdivision. That is scheduled to come before you in the future. No gates are proposed with this development to improve the integration and connectivity in line with the mixed use policies and goals. The private streets are proposed to be at least 25 feet wide with detached sidewalks at varying widths on both sides throughout the site. Both open and covered parking is proposed along the private streets. Staff had some concern with the street layout at the main entrance of the development off of Pine where there is a three way intersection. The applicant revised this intersection following the first Commission meeting and is now shown as your standard T intersection. Staff believes this design is a lot more efficient, safer, and I -- you know, we appreciate the applicant decided to redesign that. Off-street parking is required in accord with the standards listed in the UDC for multi-family developments based on the number of bedrooms per unit. The latest parking plan shows a total of 429 spaces for the entire development. Three hundred and twenty for the residences, eight reserved for the clubhouse, and 20 for the vertically integrated units and, then, the remaining 81 are for the proposed commercial. The proposed parking does exceed the minimum UDC requirements. The proposed landscaping for the required street buffers and common open space meets UDC requirements as proposed. The proposed C-C zoning district does require a 25 foot landscape buffer to any residential district. The submitted plans do not show them in compliance with this is requirement, because this is a mixed use development. There is the presence of landscaping, a sidewalk, and a street between the residential uses and commercial. Staff does not have particular concern over this discrepancy because of the mixed use nature and integrated nature of the site. However, in order to comply with the UDC, the applicant does have to request a waiver from the City Council to reduce this buffer -- to the buffer shown on these -- on the landscape plan. Based on the proposal plat of 16.4 acres, a minimum of 1.665 acres of qualified open space should be provided. In addition, common open space standards for multi-family developments also apply. So, they should be combined. Combined the required amount of minimum qualified open space that should be provided is 2.56 acres. According to the open space exhibit, Daphne is proposing a total of 3.62 acres of qualified open space of that area 2.47 is proposed to meet the overall minimum ten percent requirement, the 11-3-G requirements that equates to approximately 15 percent. This qualified open space consists of the multi-use pathway segment, the required street buffers and two large common open spaces, the central one and that adjacent to Pine Avenue. The remaining 1.15 acres is intended to meet the multi-family open space requirements. These areas of open space consist of the MEW between the units and the attached products, areas of open space that meet the minimum 20 by 20 multi-family open space dimension and, then, two plazas that are shared between the

commercial and residential portions of the site. Here and here. The plazas also help with the mixed use policies and integration of the site. The proposed open space also exceeds the UDC requirements. In addition, the applicant is required to provide amenities. For the 11-3-G requirements one amenity should be provided and the multi-use pathway is -- satisfies that UDC requirement. The rest of the amenities are proposed to meet the specific use standards for multi-family development. A minimum of four amenities are required and -- but the decision body is authorized to consider additional for developments containing over one hundred units, which is the case here. The following amenities are proposed with this application. A clubhouse with offices. A fitness facility, enclosed bike storage, pool, a tot lot, two shared plazas and pedestrian bicycle circulation plan. Those facilities. Therefore, the applicant is proposing seven qualifying site amenities, which also exceeding the UDC requirement. This application was heard by Planning and Zoning Commission twice, in December and earlier in January -- earlier this year in January. The Commission did move to recommend approval of the subject site following the second meeting. The main issues of discussion were the amount of commercial versus residential zoning and the square footage -- also the viability of staff's recommended conditions and layout changes, which I will briefly go over here. The timeline of the Pine Avenue extension from Ten Mile to the existing section of Pine. The importance of the Public Works standards for the utility mains within private easements and whether their plan can actually work. The Public Works Department did provide a memo before the second commission hearing offering their preliminary support. Again, the Public Works does not review these in detail or they cannot give a formal approval of the engineering plans, because they are only conceptual engineering at this stage. The Commission decided to change my staff report and revise all of my recommended conditions by striking them, except for the one regarding the T intersection, the three way intersection near the north part of the site. I did note in my outline that there is an outstanding issue that they did not submit a parking plan, but that is incorrect. I missed that originally. So, as I saw here this was their submitted parking plan and I did not see that. So, there are no more outstanding issues. The specific layout changes that I had proposed previously that Commission did not follow through -- it's easier to show it here. I will briefly go over them. I had proposed to remove the singular unit here to give this some open space. I proposed to replace the townhome units along Ten Mile with one of the vertically integrated buildings and parking. Recommended move four units that were behind the vertically integrated here -- that would have been here. Move those closer to the east and open up this area and, then, recommended replacing all of the detached units along Pine with townhome units in order to help the transition between a busy collector street and the interior of the site. Those are my main issues. Commission and the applicant did not agree with many of them, again, except for the T intersection so those did not get moved forward. No harm. No foul. Nothing personal, just didn't work out that way. One thing I will say that wasn't noted in the staff report is that when they did some revisions to the site to accommodate the intersection they did actually find some extra room in the central area to widen some of the open space between the buildings, so that the utilities can fit better and Public Works has noted that as well and they appreciate that. Following that I do recommend approval to the project applications and I will stand for any questions.

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

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Hey, Joe, thanks a lot, but one quick question. Which -- which conditions, again, did the applicant not agree to? Can you specify those one more time for me?

Dodson: They have all been stricken from my staff report -- or at least in the Commission recs and I don't have that in front of me. But there were a number of them that were removed from the staff report. Let me see if I can find those for you.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I think they are on page 46.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Perhaps maybe while Council President is reviewing that I -- Joe, I do have a question just in how -- I missed this. The emergency access that connects to this proposed cul-de-sac, do we have an application that's coming before us that has a cul-de-sac located there? It just seems odd to me and I'm trying to track where that decision came from.

Dodson: Councilman Cavener, yes, sir, there is -- there is an application that is in -- they will -- I'm writing the staff report right now for the Planning and Zoning Commission. So, they -- they do have an active application that is moving forward and there is a proposed cul-de-sac there, yes.

Cavener: Mr. Mayor, a follow up.

Simison: Councilman Cavener.

Cavener: And, Joe, I'm just -- I'm having flashbacks to a hearing that we had maybe earlier in 2020 about cul-de-sacs and emergency access. So, perhaps I'm being ultra sensitive to it, but when I -- looking at the site plan that's before us, it looks like there is some -- you know, trying to designate, okay, here is where I -- a residential unit is going to be and so my assumption is that the bulk of this cul-de-sac -- it looks to me like open space. Is that your recollection?

Dodson: Surrounding the cul-de-sac is what you are referring to? These kind of --

Cavener: Correct. Yeah.

Dodson: That -- the recesses of my mind from earlier today. I would say that they are not open space. I think they are buildable lots.

Cavener: Okay.

Dodson: But, again, that -- that has not been moved forward yet.

Cavener: Okay. I may want to come back with Council and chat a little bit more about this later on tonight.

Bongiorno: Mr. Mayor?

Simison: Yes, Deputy Chief.

Bongiorno: Mayor and Council Member Cavener, that emergency access is not required for this project. It's actually required for the other project, the one that Joe was talking about. So, they -- they have been -- they are well aware of the requirement and that's why they -- the emergency access is there. So, it's -- it's -- it's a bonus addition for us to be able to get to the backside of this development, but that emergency access is required for the other project. So, if that helps any.

Cavener: It doesn't, but I mean it's good for us -- it's good I think for both developments. I just -- I have got some hesitation about its location coming up to a cul-de-sac. So, give me some time on that. Like I said, apologies, I missed that in the staff report or the discussion at Planning and Zoning.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: While we got Joe Bongiorno queued up there, chief, I just wanted to double check on -- on the emergency access with just this development, because it sounds like the other one is a future development and just wanted to make sure that you have all available access, because it looks like there -- you can come in off of -- the Pine and the Ten Mile and I guess you have gone over and can access everything either one way or the other and everything is good; is that correct?

Bongiorno: Yeah. Mr. Mayor, Councilman Hoaglun, that is correct. And the other -- the other thing that we will also have is once Joe is finished with the project to the west, Pine, as part of that project in their first phase, is they are punching Pine all the way through. So, we will actually be able to access it from Black Cat as well.

Hoaglun: All right. Thank you, Mr. Mayor and Joe.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Sorry. Thank you. I didn't hit on that enough I guess. I just wanted to reiterate that this applicant, as well as the applicant for the future -- or proposed project to the west and north, are working very closely. They have -- they already have the binding agreement to extend Pine, then, like Chief Bongiorno said, they are -- this applicant is being nice enough to offer that emergency access to their property as well, so -- oh. And I didn't mention the connection along the north here. This is going to be a public road on the other property, but it will be a private street connection to there to help with the integration between uses and between the residential and this property and the commercial with this one. So, I didn't iterate that they are working together very heavily. I didn't hit that point enough. So, I just wanted to reiterate that.

Simison: And, Joe, just a follow up. Is the reason why there has not been recommended a regular access because it's onto a private street and that only an emergency access at that cul-de-sac?

Dodson: Mr. Mayor, that -- that's a loaded question. With some of the history that has been discussed with this -- how do I answer that? There -- this applicant doesn't want cut-through traffic as much as possible. They are -- the discussions that I have had is they are afraid that if that were a public access they would just go through this site in order to get out to Ten Mile, rather than going up to Pine. So, that was the major concern by the applicant. But that has been discussed multiple times of having a public road connection through the site.

Simison: I might have known it was loaded, so --

Dodson: Thank you, sir.

Simison: -- I think it's -- I think it's worth part of the conversation for this consideration.

Dodson: Yes, sir.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, Joe, you were talking about conversations about ratios of residential to commercial and whatnot and I was just pulling up the cut sheets for MUC and was trying to remind myself uses in that -- and so it's my understanding this property to the west is also zoned -- or future land use is designated as MUC. So, I know we don't have a -- you know, I know we don't have a hearing yet on this property to the west, but what would be the ideal ratio of residential to commercial for both of the properties together, this -- this subject property here and the property to the west? Is this primarily an intention for that

whole property to the west to also be residential? It seems to me that would be a -- not be exactly what the MUC has in mind.

Dodson: Council Woman Perreault, great question. With the cut sheets, unfortunately, there aren't more empirical numbers when it comes to the ratios. There is a minimum amount of residential that's been proposed, which I believe is 20 percent nonminimums for commercial, which as staff, frankly, I wish we did. It would make some of these easier in that way. But, nonetheless, all of these projects are very fluid. This whole property is mixed use community, whereas the one to the west is -- has both medium density residential and mixed community -- mixed use community and as has been noted before the future land use designations are not parcel specific. They -- they can be floated, they can be, you know, massaged a little bit. So, I -- and for this project I think it's -- it's adequate. Especially with the commercial is going to be vertically integrated and that is adjacent to the residential and this percentage wise is better than the previous renderings for the Modern Craftsman at Black Cat, the sister project. But the ratio is better on this site. The applicant's found that being on Ten Mile and closer to the freeway was going to offer them better opportunities for the commercial, as well as the commercial that already exists across Ten Mile. So, I -- in this case I think that it -- it is good. I don't want to get into any details with the one to the west, because we haven't yet heard that or seen that, so --

Perreault: Follow up? Mr. Mayor?

Simison: How was that? Sorry. Is someone --

Perreault: Yes.

Simison: Okay. You were frozen. Yes, Council Woman Perreault.

Perreault: Thank you. So, Joe was there any conversation with the Commission -- and I apologize I didn't get to go through everything that they deliberated on, but was there any conversation there about, you know, having more commercial use than this? Did they discuss that and make a recommendation to that? Personally I think that there could be more commercial in here. I would like to actually see the commercial run all the way down the east -- east side of this myself. Was there a conversation about that and, then, also to follow up with Councilman Hoaglan's question, if those two lots there directly to the west off the cul-de-sac are buildable lots, I mean it seems like that's a pretty heavy transition there. So, if you would comment on that as well.

Dodson: Absolutely. Thank you, Council Woman Perreault. The Commission did not discuss the amount of commercial on this in -- in the sense of increasing it. They did actually not discuss that in very much detail. They -- I believe the discussion was more about the leasable square footage and the three buildings here and not just one, like on the previous project. In addition, the vertically integrated that has -- I believe roughly 2,500 square feet of each and each one of them is commercial space, so I know the applicant is going to talk about the offices that are inside the clubhouse that are also for

rent for -- within the subdivision, those types of things. But your -- your comments are taken very seriously. I understand that -- especially in the mixed use community and especially on Ten Mile. Understood. And, then, when it comes to the -- the homes or the transition, that did -- that question was asked at Commission as well and I can see your point there. Really, there is a lot of units abutting the single lots, but because they are facing perpendicular we determined that that was -- you know, with the pathway and the open space there and, then, the buffers that are going to be -- the homes are not going to be directly adjacent to that, but there was adequate space between those single family homes and, then, these townhome units, especially because there are -- they are only two stories, they are not three story units, which is, obviously, a benefit as well.

Simison: Council, any further questions for staff at this time? Okay. Then we will go ahead and ask the applicant to, please, come forward and I will turn this over to Deb Nelson for 15 minutes.

Nelson: Thank you, Mr. Mayor, Members of the Council. I'm going to share my screen here if that's all right. My name is Deborah Nelson. My address is 601 West Bannock Street in Boise and I'm here tonight on behalf of the applicant Baron Properties. I have also got members of the development team and Baron Properties with me and they are all available to answer your questions and I wanted to say thank you to Joe. We have been working with staff for more than a year on this project to come up with a site plan that everybody supported and -- and, then, yes, there were a couple of issues that came up right before the Commission. We worked through those successfully with Joe and the Commission and, then, we are able to say that we are in full support of the entire recommendation and every condition of approval coming out of the Commission and we have -- are also in support of every agency comment that has been provided and all of the recommended conditions of approval and there has been no public opposition. So, we feel like we are bringing to you a very well developed site plan. I would like to walk through that and some of our products, but also address some of the questions that you have begun to raise this evening. Starting with the vicinity, I want to point out a couple of features. Obviously, Joe noted the Pine Street extension that this project, along with the development to the west, is going to provide that much needed connectivity over to Black Cat Road. Also we have got quite a bit of mixed use and commercial development around us. Immediately across the street there is a bank and a gas station and office uses. We have got just to our south the Ten Mile specific area plan area that is quickly developing, as you know well. The Gateway At Ten Mile has high density residential, mixed use office and retail plans there. You have also got developments just south of that with a similar mix. You have got great employers here with FedEx and Amazon and, you know, Baron Properties is really interested in this site, because this 16 acre site, like the project that you approved up at Black Cat and Chinden, is a great location to provide housing that's in demand with folks in Meridian that can work at these employers that are just down the street at FedEx and Amazon. Also these young forming households, retiring baby boomers that are looking for a turnkey lifestyle, professionals, teachers, nurses and so it's great housing for -- to serve your residents. It's -- the additional commercial that will be added will complement the commercial and existing uses around us as well. The site plan -- this shows the split between the zones and as Joe walked through, this is

consistent with the designation of the MUC in your Comprehensive Plan. We have got a mix of uses and both vertical and horizontal integration between the residential and the nonresidential uses with the two vertically integrated buildings, we will have 10,800 square feet of commercial, 5,400 in each. These uses will support a variety of commercial interests to support our community and others with pedestrian connectivity to them and, you know, such as a coffee shop or a yoga studio. The commercial business area along Ten Mile and that wraps the corner up -- up to the Pine access on the north side will accommodate approximately 17,800 square feet of commercial and mixed uses with possible uses of restaurants, retail, office, medical office, daycare -- again, serving a larger area than just our -- our neighborhood. Our centrally located clubhouse includes over 500 feet of work from home office space and private offices for the residents use, as well as community meetings space. The 135 residents are -- are in a variety of detached and attached building types, which enables this for rent community to live, feel, and appear like a neighborhood, rather than an apartment complex. The residences are connected to the clubhouse amenities and to this commercial through landscapes and hardscape pathways and decorative crosswalks, really achieving that integration that's called for your Comprehensive Plan. Turning to some of the architecture. This is -- these are the attractive entry monuments on Pine. Our clubhouse. And inside the clubhouse residents can enjoy those workspaces I mentioned. The coffee bar. Indoor gathering and seating area. The kitchen and fitness area. Outside the clubhouse is a community pool with a large deck, covered gazebos and grill areas. The vertical integration buildings that have been mentioned -- these provide that commercial space in the ground floor and six residential units on the second floor with studio and one bedroom units. This is really a unique product type that we introduced at Black Cat at staff's suggestion, has been integrated again here and we are excited to provide that vertical integration in your MUC areas. Some other colors and orientations. The residential in the R-15 portion is going to include a mix of housing. There is one, two and three bedroom offerings in detached homes, duplexes, and six-plexes, some with attached or tuck under garages. This slide shows a one bedroom duplex with different roof lines. All of the residential units will provide private outdoor space, mostly private backyard. The residential units include modern finishes, with stainless steel appliances, in-unit washers and dryers. Great living spaces with open floor plans and nine to 12 foot ceilings. All of the buildings use quality materials, including stone and stucco and wood tone siding. The roof lines provide variety with some single slope and some hip roofs. You can see those illustrated here. We have four color palettes to provide variety, but also cohesiveness and some of the color schemes. To show a few more of the products, we have got two types of the two bedroom, two bath. Here is the second. There is the three bedroom and two bath and here is the six-plex townhomes with the tuck under garages and the front and the back view. Multiple color palettes on these as well. The six-plexes have four two bedroom units on the interior and two three bedroom units on each end. This slide really helps to illustrate the unit type variety. The different products, rooflines, colors, create this distinctive community that lives and feels like a neighborhood. Now, most of the residential development is single story with the duplexes detached in two and three bedroom units intermixed and each of the two and three bedroom units will come in a variety of these layouts with the different roof types. Showing the roofline. The color palette variety. And here is a close up of those color palettes. During the Planning and Zoning Commission's review they actually

did ask for this fourth color palette that was added. So, now between the two roof lines, the three facade finishes, and these four color palettes, each one of our unit types, whether that's a one bedroom, one of the two bedroom styles or three bedroom, has 24 different variations. So, there is going to be a lot of distinctiveness from unit to unit and visual interest throughout the neighborhood. Joe already walked through our parking. I just want to emphasize that we are well over parked, which is great, especially when you have got the commercial uses, we want to make sure -- have all the parking they need. We have got 429 spaces, where only 294 are required. Quite a bit of covered spaces and garage enclosed and tucked under spaces. We have storage that's available through our self storage lockers and five parking spaces. The project is designed with a -- a more open space and is required to, as Joe already walked through, and there is really a great connectivity, especially east-west to connect to our west -- new western development that's happening to our borders, so that they can also walk through and get to the commercial areas. In addition to all of the public open space, common area open space, we have private open space with an average of almost 400 square feet per residence. I would also note that Fuller Park is not far to the north. The project amenities -- Joe walked through those and emphasized that we have got more than is required and -- and, really, again, trying to integrate them centrally and provide some community connections between our commercial and our residential areas. That connectivity is -- is really shown here through these pathways. You can see the significant east path -- east-west pathway through the middle. The multi-use pathway along the southern border and the pathways create a loop, a walking loop, as well as connections to all of the focal points with amenities and commercial. All of our service providers have provided positive comments. So, we don't have any concerns. We are within all of the appropriate response times. We have capacity in all of the schools that our children would be attending. There is a limited impact on schools from this development. Based on West Ada's calculation there would be 14 students from our development. We are seeking, as Joe mentioned, a waiver between the zones. Your code does require a waiver, really, when it's -- it's expected that you are adding a commercial zone or development next to property that someone else owns and operates and so they want us to create that buffer area. But as we discussed in Black Cat and this Council agreed, that does not really make sense where you have got a single owner and operator -- will be owning and operating these vertically integrated buildings and clubhouse that are immediately adjacent to the residential uses and so that separation is -- is not required. There is, in fact, physical separation there between the buildings of approximately 25 feet for this net, but we just don't want to create an artificial boundary within the development when they really intended to operate together. We want to keep that integration -- keep those pathways closed and keep everything flowing and connected. We have provided the commercial concepts as Joe mentioned and, you know, I guess I want to just address a few of the comments we heard about the commercial. Council Member Perreault, you asked specifically about, you know, extending the commercial all the way down Ten Mile. We explored that layout when we were meeting with staff initially at the very outset and actually they encouraged us to instead wrap it up around Pine and take it further west and so that's why it now is further -- our vertically integrated brings that across Pine to the west of it and you can see if you really look at that TC area, it's sort of a circle, you can see all the buildings kind of face each other, creating the open plazas and connectivity in between, rather than having a

line commercial down Ten Mile that felt separated. The idea that staff really wanted us to achieve with this integration and -- and the Planning and Zoning Commission really liked that as well. They liked the arrangement. And so when there were some comments in the last minute before the Planning and Zoning Commission, Joe mentioned he had some other conditions we didn't accept, he had been suggesting to rearrange a few things and as we understood it from Joe, he was concerned that there was some question from Public Works about whether our utilities would fit as planned and so he suggested rearranging. We were able to work through everything we needed with Public Works and substantively we preferred the layout we had been working on with staff for months to keep this -- this layout, keep the vertically integrated where it is, keep the townhomes where they are and not flip them, because we like the integration here and Planning and Zoning Commission agreed. They also, as Joe mentioned, did not have any concerns with the amount of commercial. They thought it was sufficient and they liked the mix. They liked the rooftop supporting the commercial. They liked the integration. They liked the way that we have everything flowing together from east-west to connect to other properties as well and so they did not have additional concerns. In fact, they really liked the layout. At the end of the day they -- they approved this with conditions that, as Joe mentioned, the only thing we rearranged that they wanted was the intersection with Pine and, then, we are in complete agreement. So, with that I would like to share a fly through if I can quickly. I will see if this works. Just to show you the overall development together.

(Video shown.)

Simison: Deb, we lost you on the very last comments.

Nelson: Can you hear me now, Mayor?

Simison: Yes.

Nelson: I think I'm out of time, but I would stand for any questions that the Council has.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Thank you, Mr. Mayor. Deb, appreciate the presentation and the work you and your team have put into this. I know you guys have been working on this project for a long time. Just a couple of clarifying questions for me. As you know we always are concerned about impacts on the schools and clearly as proposed this doesn't seem like it's got an impact on -- on the neighboring schools. I also know that probably in the time you have been working this project West Ada has put together a proposal to redraw some boundary lines and move kids from one part of town over to some of those schools that impact your project. I'm just curious how recent those numbers are and if they are based on current enrollment or projected future enrollment.

Nelson: Mr. Mayor, Council Member Cavener --

Simison: Deb, we are having a hard time -- try again.

Nelson: Hi. Can you hear me now?

Simison: Yes.

Cavener: Great.

Nelson: Okay. Sorry. I don't know why the microphone is not picking up well. Council Member Cavener, those numbers are -- should be very current. Now, I do know -- I do understand that West Ada is looking to redistrict and pull our elementary -- we understand our elementary kids, although they were previously slotted for Peregrine, will now be attending the Chaparral, which is great, because that's right across the street and it has more capacity is what we have been told and so our understanding from West Ada that, if anything, the capacity is getting better.

Cavener: Perfect. Mr. Mayor, an additional question if I may.

Simison: Councilman Cavener.

Cavener: Deb, I really like this project for a lot of reasons. I think it's really really creative. I like the live-work. I think you guys have been really thoughtful in how you are laying things out. My one hiccup -- and I even hate to call it that -- is the roof lines on your -- on your six-plex and you see it play out in that video that you showed. It -- you kind of -- it creates this like -- these giant like ramps on the roof lines and it reminds me a lot of what we see over there on Eagle between Fairview and Ustick behind the Commercial Tire and the Jimmy John's, you have got this kind of like sea of the same style of roofline and because you guys have been so thoughtful and kind of the architectural design, I guess I don't know if there were any conversations about that internally, if staff had brought up any -- any thoughts about that. To me I think it's -- it is such a little thing, but it's -- to me it's kind of like the cherry on top to really make this project look -- really stand out and be unique and so I just give you an opportunity to respond if you had any thoughts or questions.

Nelson: Mr. Mayor, Council Member Cavener, we have gotten a lot of compliments for the architecture -- I have not heard of that particular comment. But certainly as we, you know, focus in on the final layout and now -- it's a good comment that will certainly take into account and try to address that to see in the arrangement that -- that we can try to avoid your concern. So, appreciate the feedback. We heard it, yes.

Cavener: I think you guys have done a good job of differentiating the -- kind of the architectural styles that just -- I think that shift when it comes to rooflines would -- would really make it stand out. So, I have got some other questions about the private roads, but

I think that's best addressed with staff. Really appreciate you bringing this project and your diligence throughout.

Nelson: Thank you. And, Mr. Mayor, if I could I would be happy to address any questions about roads as well.

Cavener: Well, Mr. Mayor, if I may --

Simison: Councilman Cavener, keep going. Get your questions answered.

Cavener: Thanks. Thanks, Mr. Mayor. I appreciate it. Deb, what -- what conversations have you and your team had about these -- these private roads? And I guess my questions are kind of two-fold. One, if this development is going to be, you know, a single owner, is the plan, then, that, you know, as the roads deteriorate -- deteriorate that the maintenance will be handled by -- by a single entity or if that falls onto a -- you know, a condo association or a neighborhood association of some sort and, then, my other question is just about the connectivity. Again, I don't have an issue typically with private roads. I get a little worried when they start connecting with other neighborhoods and other developments about the ability to block that intended access in the future and I'm just curious what provisions you guys have explored to prevent that from happening in the future.

Nelson: Well, Mr. Mayor, Councilman Cavener --

Simison: Your mics not picking up again, Deb.

Nelson: See, if I can arrange my laptop. Does that help?

Cavener: Great.

Nelson: Okay. Thank you. Please do tell me if you can't hear me. We have explored the -- had a lot of discussions with both ACHD and the staff about the roads within the development. They will be all maintained by the operator, which is the owner and developer. They are going to continue. So, you -- it will be barren property, but it's continuing to own and operate this and they will maintain all of the roads within the development. It is a comment, of course, and appropriate within a multi-family development that you would have private drive aisles. But they have also really worked hard with staff to create -- despite the fact that you would normally just have private lanes within a development like this, to create that additional connectivity and so initially we did that by proposing gates to allow the emergency access up in that northwest corner, but staff asked us to remove those so we have accommodated that. We are worried about, you know, drive cut-through and -- and, you know, dangerous road conditions. ACHD does not support that northern driveway being a public street at all. So, they don't support that. They want the trips from the development to the west to go up to Pine and out to the light and we hope that most of them will. That is -- that's where we would like them to go, too, so that they are not driving through our development and creating any -- any

safety concerns. But the connectivity does exist and so they can -- there is an opportunity if they want to come and, you know, drive through to get to the commercial -- we hope they will walk through, but -- so, the connectivity exists, the functionality exists, but truly it's so close to Pine we hope that people are going out to Pine to access the signal that way.

Simison: So, Deb, I'm going to piggyback off that question just a little bit. Or your comments, because it's -- I guess help me understand safe -- you say safety for cut-through. My subdivision has neighboring subdivisions that are connected and cars drive by all the time.

Nelson: Uh-huh.

Simison: What is the challenge -- is it that the roads are not wide enough to allow other traffic through? What -- what is the -- or you just don't -- they don't want it to drive through?

Nelson: Mr. Mayor, that's a great question. Yes, it is -- it's a lot to do with the size of the roads and the facilities there and, actually, our engineer is probably the best person to answer that question and so I'm going to let Dave Bailey address that.

Bailey: Mr. Mayor and Councilman Hoaglun, my name is David Bailey. I'm with Bailey Engineering. Office address is 1119 East State Street in Eagle. The -- the drive lanes within this project are actually just like apartment drive lanes. They have parking that backs into them and they are the place that -- you know, that our -- our tenants move around in and so they would be exactly like you would have in any apartment complex from that direction. So, the reason for naming them and actually calling them private streets is twofold. One is so that we can have the appropriate sewer and water easement within those streets that the city can maintain their -- their facilities and, secondly, because the Fire Department wants to have those private streets named so that they can address the buildings in a -- in a more organized manner. Otherwise, we would be addressing these buildings throughout the site off of Pine or off of Ten Mile through that direction. So, they are not intended to actually function as private streets from the direction that say your subdivision, whether it has public or private streets, has traffic and connectivity, we certainly want to have connectivity -- pedestrian primarily and -- and secondarily, you know, the vehicular, you know, just the way to go, you know, to get there, but for the size of this project and the project next door, the intent is certainly for all traffic to go to a collector street and, then, go from there to the arterial. So, people traveling to the commercial within this project from the project to the west, could come through this way, but we don't see that as a -- it's not a -- it's not a travel route, it's a way for people within the apartments to get to there -- within the complex get to their apartments and the fun -- the traffic, you know, functions just fine from that perspective. So, hope that answers that a little better.

Simison: It's an answer, I will give you that.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, I have lived in this area for a number of years. Very familiar with this whole quadrant and just -- just a couple of things that I wanted to share and maybe you can shed some light on. You mentioned that you hoped that people will walk to those commercial areas. I assume you mean from within the development, because in my opinion this area is not pedestrian friendly in any way, shape, or form, nor is it friendly for bicyclists. So, if you have someone that's renting in your community and they work down in the Ten Mile interchange area, that's not, in my opinion, a pedestrian or bicycle friendly area. So, just curious your -- kind of your thoughts around that and that doesn't -- that's not specific to your development, other than it sounds like you are hoping that there -- you know, there will be a pedestrian element to it or you are trying to encourage that. And, then, the second thing I wanted to say is -- this is more of a comment, but I always love the -- the -- you know, the video renderings, for lack of a better term. I don't know exactly what you call them. But one thing I noticed about this one -- and maybe it's just the coloring used in it -- is all I saw was blacktop. Like I'm going through there and all I see is like -- is just asphalt everywhere and that was the thing that struck me so significantly and so I -- you know, we -- we already discussed this quite a bit here and that is, you know, we know that Meridian is -- is suburban and we have struggled to become more urban in a lot of ways, but it's necessary that we do that, and so I see this as a really suburban feel and that's not necessarily a comment that you need to -- that I'm saying that needs to be changed, I just -- this -- this whole -- this whole area has a lot of rentals, a lot of apartment complexes. I know that was designed on purpose by the Ten Area -- Ten Mile area specific plan for there to be a lot of opportunity for folks to live in this area and work in this area. I would have loved to -- I know the concepts that your company does, I would have loved to have actually seen these be owned, instead of renting, but that's not the concept that's here. So, I just -- you know, I have concerns this whole area 20 years in the future, that we will be out of ratio for homes that are owned versus homes that are rented. But also -- and I know it's allowed, so this is not -- again, this is just something I'm kind of throwing out there. But the commercial -- this is -- the reason I'm bringing all this stuff up is because it really links into the commercial in the sense of we have had a lot conversations as a city about our ratio of commercial to residential and it's -- it's -- it's not a ratio that I'm satisfied with personally as a Council Member. I would like to see us have more commercial. I know commercial is a general term for a whole host of different uses, but we already have a lot of multi-family in this location. So, I know we are here, I know you have already done your plan, you are not likely to change your plan because of my desire per se, but I really would have liked to have seen actually some additional commercial use, because we need that in our city in my opinion, so -- before we close the public hearing I wanted to give you a chance to respond to those comments.

Nelson: Thank you very much. Mayor, can you hear me all right?

Simison: Yep.

Nelson: Okay. Thanks. Council Member Perreault, thanks for the -- the questions and comments and I will try to answer and, then, just provide some responsive comments as

well. Yes, I was talking about pedestrian access to our commercial and I think that's one of the great things of what this development is offering is all of these pathways that lead to a neighborhood commercial feel, plus there is a little more draw of the regional commercial with the corner opportunity. I mean the site does -- does still have, you know, somewhat constrained access, but there could be some drive-through opportunities at the corner for, you know, folks going off to work, would be -- we would love to have an active commercial corner there and so there certainly is enough space for it. I mean with our vertical integration and what we have laid out, just in concept at that commercial, we are over 28,000 square feet of commercial for only a 16 acre site. So, that -- that's actually quite a bit and in -- because of the willingness of the developer to really work on that vertically integrated project to pull that commercial into the site and to really find ways to even have, you know, these smaller commercial uses that are a little more likely to site there right away, so we do hope that there will be additional connectivity and use between our rooftops that support the whole Ten Mile specific area plan, you know, to help that connectivity that you say is missing here. We are improving our frontage. Hopefully all these new detached sidewalks will help people walk down there. It certainly is a very short walk to work at the Amazon facility or FedEx to get there from our development and so we hope that that -- that actually will support this and this -- this, you know, slightly denser development style is what's needed to support both connectivity from a pedestrian standpoint and commercial, which I hear you, is -- is a very important aspect of this. So, we hope we are actually helping to further the vision that you have for this area with this project by doing that. So, I think one more comment and you -- I think maybe the -- the aspect of the fly through just being kind of high, it looks like -- and we were actually trying to show -- we went down the streets to show the feel as if you were between them and I do think it over emphasizes the street, perhaps, as you noted. It was -- it was a trying to give you the feel of it inside of it. But, truly, if you think about the fact of our prior discussion about how narrow these driveways are, it's not all asphalt. We have asphalt as needed to serve the commercial, but we have really broken it up with those two plazas that are in between that have the decorative pathways that connect right across the parking lots and the street, so it really does I think pull it in and break it up maybe more than that was evident from that.

Simison: Council, any additional questions for the applicant? Okay. Seeing none, Mr. Clerk, I see -- we have nobody in the audience and no one online. I assume we have no one signed up to testify.

Johnson: Mr. Mayor, we did not.

Simison: Okay. I will still throw it out there in case there is anybody in the room would like to testify or make comments, you can use the raise your hand feature. And seeing no one, I will turn this over to the applicant for any final comments.

Nelson: Thank you, Mayor and Council Members, for your consideration of this and for your thoughtful review and comments. We appreciate your insights on it. It has been a long collaborative process for more than a year of working with staff and -- and through the Commission with two hearings and we feel very proud of what we are bringing to you

tonight. I hope that you can see it will be a nice addition to your city to offer the -- the opportunities of the vertical and horizontal mixed use integration and this, you know, in demand housing type that can serve so many of your residents. So, with that thank you.

Simison: Thank you.

Borton: Hey -- Mr. Mayor?

Simison: Councilman Borton.

Borton: Deb, I will ask you one question about the commercial and I guess one of -- one of my concerns might be that this is so successful and so popular that this area becomes -- and the commercial in particular becomes really crowded and maybe an unfair comparison that leads to the question is the -- I think it's Locust Grove and Chinden, totally different development, but you have got where the -- I'm drawing a blank on the -- on Homestead and a bunch of popular commercial adjacent to residential and it's -- the parking there is a disaster and -- and I wonder -- as I look at -- at what you are proposing, perhaps there is fewer commercial pads than -- than what's over at that example. But is there any concern that even though it might be technically adequately parked that if you throw some establishments it might become extremely popular and create that type of problem that they have got over there with parking?

Nelson: Mr. Mayor, Council Member Borton, we can only hope to have a wild -- a wildly successful commercial development. But as for the parking concerns, we -- we should have ample parking. We have 429 parking spaces on site, where only 324 are required under your code -- meet our residences, our clubhouse, the vertically integrated and the commercial. So, I think we have got that flexibility already built into the site plan with those counts to accommodate any -- you know, if there is a restaurant that's particularly successful that would -- that would be nice.

Borton: Okay. Mr. Mayor, just to comment on the --

Simison: Councilman Borton.

Borton: -- on the question that one of the things I think you have done really well is encourage that pedestrian connectivity for these diverse housing opportunities and the residents there, encouraging them to walk or bike to these establishments and leave their car behind. So, I think that's really well done.

Simison: Council, I will just take a second to at least say -- say my peace. We -- I think we have heard a lot about Council's concerns over shared driveways in projects recently, so I'm -- I won't try to be a broken record, but it is a little concerning to me to have a project this size that does not really have what I would consider cross-access to neighboring properties. You know, when you look at those last public hearing we really talked about -- we talked about cross-access and how it interacts with adjacent residential. No idea what's being planned for that site, but I go back to Dashwood, I go back to a lot of other

conversations and when we limit cross-access, even with an emergency access -- heck, let's go talk about the stuff we heard last week. The emergency access -- cross-access, it just -- it creates more challenges than generally I think if we upfront created real cross-access and accommodated that. That's just a general comment. You know, I don't know if -- if multi-family gets a pass from needing to have cross-access, because it's all supposed to be self contained and not connected to others. I don't -- I don't know the answer to that. But I think from a general standpoint for me, looking at things when you don't allow for vehicle cross-access, that creates challenges or problems and things I think that we should generally take another look at and how we apply them. So, food for thought, whether it's for today or for the future.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Appreciate you waxing poetic on that, but I'm also curious do you have a suggestion for an improvement to this particular application that you would like to see implemented to address that concern of yours?

Simison: Yes and no. I mean I would make a full public street access connected to the south up through the project, but that would require some, you know, significant modifications to this project in ways that I don't -- can't sit here and tell you here is the way it would work or how it would best be implemented, but, yeah, that's -- I would make that a full public street through there and modify the entire development to allow for that to occur, if I was going to be very serious about recommendation. I have no idea what the impacts of that would be to the design, the layout, and I agree it's a very attractive project, a lot of great mix components, but it does feel like it's its own little island and I don't know if own little islands are what we support and advocate for from development. That's what it feels like to me. I have been trying to really think about other multi-family developments around the valley and if that's the approach that makes sense, as compared to not -- so, again, it's a general comment as much as it is something else.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I think this is an interesting project. I think it looks nice. My only concern is I would have liked to have seen more commercial on Ten Mile. We have one shot at commercial and I agree with Deb, you know, 20,000 square feet is not a small amount. That's -- that's -- that's just what I'm thinking right now.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Just to go back to your comments -- and I think they are a good point that -- that you make. I think we have to look at it, though, as a site by site basis. The location of this being at the corner of Pine and Ten Mile, I think if we put something further to the south would be a right-in, right-out only and where this is located so close to the -- I call it the half mile mark and you are going to have a light at Pine, ACHD and other developments should be going to that light and not coming up from other locations and, again, it would be a limited -- I think right-in, right-out, otherwise, it's -- with that light that close it makes sense for this site, but to your overall point I do think we ought to take a look at -- at developments as they occur and where they occur and how those things are put together and what type of easements or accesses are there for the -- for that situation. So, it's just one of those where for this -- I do think it's -- it's well designed. Yeah, you would like to see more commercial. I appreciate the Commission going through this -- Planning and Zoning Commission had two meetings on this and really worked through a lot of -- a lot of the issues and -- and -- and worked very hard, along with staff, to -- to put together -- and kudos to the applicant for working with them and making some changes and -- and putting together a site that I think is -- is good for this particular location. Other comments notwithstanding, that can we always look for improvements? Probably. But it's -- it's -- it's well done. So, I think this is something that we can move forward with.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Yeah. Thank you, sir. I just wanted to comment on that a little bit. I guess to put it bluntly, a lot of the concerns that have come up are things that staff has relayed to the applicant from the beginning. I might get thrown under the bus for that, but that is something that has come up -- especially the public road access that I did mention and that you had asked about, Mr. Mayor. When that was brought up I was vehemently told no and not a big discussion point and I understand their reasonings to some degree. I do know one of them would be where that could connect if it were to connect to Ten Mile or to Pine, that location is going to be largely dictated by ACHD and I don't know where that would be, because that has never been presented to ACHD from my understanding. But I just wanted to reiterate that staff does understand where Council is coming from and a lot of these concerns were brought up in pre-app meetings and other non-official pre-app meetings.

Perreault: Mr. Mayor?

Simison: Thank you, Joe. Council Woman Perreault.

Perreault: Thank you, Joe, for sharing that. I always appreciate the staff's perspective on those things, because when we get these packets it's just, you know, frequently a huge amount to -- to go through and sometimes it is nice to just hear it, instead of trying to read through dozens of pages of it. But -- so, I wanted to comment on what you shared, Mayor. I think for me it's not so much the element -- I mean it is the private streets, but -- because we see that a lot in apartment complexes; right? We see just -- just like Mr. Bailey

mentioned, it's the -- it's the integration of the private apartment complex type idea with a commercial, which is what you don't see frequently happen, and so that's -- it's not as much the fact that it's isolated and there isn't cross-access, wouldn't, in my opinion, be as much of a challenge if this was just a residential piece, but when you tie the residential piece in with the commercial and, then, you don't have cross-access that's where the issue comes in. That's just my opinion. So, if the residential piece was separated from the commercial, then, that might be a different conversation. On a corner I wouldn't love it to have that -- if this commercial were isolated from the residential on a corner I don't think that would make sense. But I -- if I understood you correctly, I believe you suggested that there be a public street that comes up from the south and exits -- that goes all the way up to Pine or are you suggesting that it exit out onto Ten Mile there to the east?

Simison: All I would be suggesting is that where it currently is connecting through that the emergency access, that that somehow be a public street that connects -- it could connect back out to where the current exit is. Again, it would -- it would likely require a redesign for a lot of reasons. You can't make those corners. There is all those -- I -- I get it. I understand it. I like the project. I just do ask the question, you know, we create a lot of winners and losers when we talk about connectivity in these situations and, you know, I go back to some of the most contentious conversations that I have seen before Council over the last three years have been, you know, where connections are going to occur and where they are not going to occur and when we create a situation where we have two projects coming in, maybe roughly at the same time, and we -- we basically show a connection, but we don't want to make a connection, I have to ask the question of why -- you know, what is the value to whom and why. What is appropriate. What is not appropriate. And this is one where we don't have the benefit of the other application, so we don't know exactly what it's going to look like and why it should or shouldn't connect. So, that becomes my question when I look at this. We seem like we want a connection, but we really don't know why.

Nelson: Mr. Mayor, would it be appropriate to provide any responsive comments on this topic? May I respond?

Simison: Does Council want -- sure.

Nelson: Just briefly to make sure you have the full benefit of what we are trying to balance here and in a lot of discussions with staff and with the Commission about this, we are trying to balance that we want this to be a pedestrian friendly neighborhood and so we have got all these pathways and crosswalks where we have got, you know, everyone walking, including potentially children to the amenities, and enjoying the play areas and enjoying the pool. So, we want to balance, you know, their -- their safety and pedestrian access. At the same time it's exactly as you pointed out, Council Member Perreault, because of the commercial is why staff asked us to open up that northwest corner and we did and so there -- there is that opportunity. But truly the expectation from -- and what ACHD has asked for is that our users, the neighbors to the west, and, really, everyone down Pine Street -- because this is all going to be open now -- use Pine as that collector to get out to the intersection and including to our commercial that way. So, those were

the things we were trying to balance and so we do have it open, it does provide cross-access, but it's not intended to be the collector that Pine is.

Bongiorno: Mr. Mayor?

Simison: Deputy Chief.

Bongiorno: I do have the plat available for the Fox Cross Sub, which is the sub to the west, if you would like to see it.

Simison: I would not. I don't want to confuse the conversation --

Bongiorno: Okay.

Simison: -- more than it does. I think we saw a little bit in the flyover of what the road configuration next door likely looks like. I noticed that. But thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I would just like to -- to comment -- it seems like our applications this evening -- and frequently we have conversations about what's happening surrounding the subject properties that we are considering and not -- you know, in -- in -- in addition to the property itself and -- and as you know elected officials making decisions on behalf of an entire city, we have to take those into account no matter how fantastic a project might be and so just -- just wanted to say it's never -- I understand how it can -- it can appear to be a reflection of the application before us, but truly it's that we -- we are obligated to have this bigger picture decision making as we consider each of these and so it's not to be just -- I want to kind of put this out there that it's not because we are making a decision about the subject application based on the neighboring property, but that we -- I mean we do -- we have to take that into account as we look to plan the city as a whole and so I wanted to say that, because it's -- it's frequently a frustration of applicants. Now, you do this for a living, so it may or may not be yours, but it's frequently a frustration and, unfortunately, sometimes there are effects on the decisions that we make because of what happens in the surrounding area and that's just what we have to do. So, maybe it wasn't necessary to say that, but sometimes I feel an obligation to put that out there if we have members of the public who are listening and trying to understand how -- you know, all the different variables that we take into consideration.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I -- I appreciate the discussion. I will just give you a snapshot of where I'm at, if we are deliberating a titch before closing the public hearing. To start with, with the comp

plan and the future land use map. I mean it's mixed use community. It hits exactly what's intended there and with the C-C and the R-15, hits what's intended in that description of the comp plan. In this circumstance -- and Councilman Hoaglund mentioned it -- referenced it well. I think in this circumstance the directive of traffic to Pine and -- and to Ten Mile is appropriate. I thought the way it's laid out and not connecting with the public street to the west made sense in this circumstance and Deb referenced the pedestrian connectivity and the desire to -- to have this try to be self contained and encourage folks to -- to be able to easily walk to the amenities or walk to the commercial for a cup of coffee or a restaurant or go to the bank. I think all of that is -- is encouraged by this design and it's something that -- that we like to see. The parking it's -- it's more than adequately parked. I think the answer on the parking concerns was spot on. The open space and the amenities I think are really nice for this and we talk often about diverse housing options, not only in the design, but in the -- in the opportunities for residents to have options and this clearly provides a lot of that. I think that is pretty creative and the -- the -- the connectivity, which I -- which I referenced earlier. So, I'm just looking through my notes. I think it's a great project. I really do. I don't think it needs to be redesigned. I think it's going to be extremely popular and it puts traffic where it should, utilizes Pine and Ten Mile well. I think the -- the waiver that's requested for the buffer, seeing that it's kind of a self contained project between the C-C and the R-15 is appropriate in this particular circumstance. We are not abutting commercial next to some different projects that's not related to it. So, in this circumstance that waiver seems to be appropriate. So, I'm supportive of it. Ready to move forward as designed with all of the conditions within the staff report, including that waiver of the reduced buffer between the two zones.

Simison: Any additional comments? Motions? Questions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: If we don't have any further comments or questions, I would move that we close the public hearing on H-2020-0099.

Cavener: Second.

Borton: Second.

Simison: I have a motion and a second to close the public hearing. All those in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Hoaglund: Mr. Mayor, I appreciate the good discussion on -- on this project and also on -- on issues that we have to consider in future projects. We have a big responsibility here. Our community is growing and growing rapidly. There are things that -- and it will continue to grow and we just have a lot to consider when these things come before us and

sometimes we can impact them and direct them in a way that -- that makes improvements and there is other times where there are things there that we just have to do the best we can with what we can do within the constraints of the law. So, as has been mentioned this is a thoughtful project. A lot of work and effort has gone into it to make it a very good project. I know our -- I saw some statistics today I was reading about the for rent and why it's so popular and because of wages versus what was needed for a down payment from a conference that was held about housing in the Treasure Valley and -- and this is why these are things that are coming forward, because there is a great demand for it and the better quality it is that's -- that's fantastic and understand why they are doing some of the things they are doing and I think going forward that we just have to continue discussing -- discussing and debating the issues for each -- each development as it comes before us for those important items that we talked about tonight. So, I'm ready to make the motion, unless other folks have a comment. Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: After considering all staff, applicant, and public testimony, I move to approve H-2020-0099 as presented in the staff report for the hearing date of February 9th, 2021, and with a modification that with the waiver to reduce the buffer to what is shown on the submitted landscape plans.

Cavener: Second.

Borton: Second.

Simison: I have a motion and a second. Is there any discussion on the motion?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: It was brought up a moment ago, at least during the discussion, and it -- I just think it's important to reiterate that part of the process that was done really well here is -- is our planning staff pressing particular issues that they thought -- Joe, you did a good job in -- in raising concerns. Not code compliance necessarily, but thoughtful planning considerations. We really appreciate it when you and our entire planning staff brings those things up and has just good discussion with our applicants. That got vetted well with Planning and Zoning all of that, it just leads to a better outcome and a better product and it may be challenging at times for an applicant to go through those discussions and perhaps challenging for our staff, too, but you all have a lot of professional experience and I know our P&Z -- and we certainly appreciate it. Some things come through and make projects better and some things don't become part of a project, but the discussion is really important and we all, in review of these applications, look at how those are discussed, how P&Z may or may not have addressed it, how the applicant may or may not have addressed it, so really appreciate the thoughtfulness in the staff report, Joe, in raising specific areas of your professional concerns. So, keep up the good work.

Dodson: Thank you, Mr. Borton. I appreciate that. It means a lot coming from Council. Sometimes it feels like bashing my head against a brick wall. So, I appreciate it very much.

Simison: So, any further comments? If not, Clerk will call the roll.

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

Simison: All ayes. Motion carries. The item is agreed to. Thank you very much and, Joe, you and me both, we will go bash our heads against the wall together latter.

Dodson: Thank you, sir.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

ORDINANCES [Action Item]

- 5. Ordinance No. 21-1915: An Ordinance (H-2020-0083 Southridge South) for Rezone of a Parcel of Land in the Northwest Quarter of Section 23, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho; Establishing and Determining the Land Use Zoning Classification of 36.04 Acres of Land from R-4 (Medium Low Density Residential) Zoning District to R-2 (Low Density Residential) Zoning District to (7.15 Acres) and from R-2 (Low Density Residential) and R-4 (Medium Low Density Residential) Zoning District to R-8 (Medium Density Residential) Zoning District (28.89 Acres) in the Meridian City Code; Providing that Copies of This Ordinance Shall be Filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as Required by Law; and Providing for a Summary of the Ordinance; and Providing for a Waiver of the Reading Rules; and Providing an Effective Date**

Simison: Up next is ordinance. Action Item No. 5 Ordinance -- Ordinance No. 21-1915. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance related to H-2020-0083, Southridge South, for rezoning a parcel of land in the northwest quarter of Section 23, Township 3 North, Range 1 West, Boise Meridian, Ada county, Idaho; establishing and determining the land use zoning classification of 36.04 acres of land from R-4 (Medium Low Density Residential) Zoning District to R-2 (Low Density Residential) Zoning District to (7.15 acres) and from R-2 (Low Density Residential) and R-4 (Medium Low Density Residential) Zoning District to R-8 (Medium Density Residential) Zoning District (28.89 acres) in the Meridian City Code; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as

required by law; and providing for a summary of the ordinance; and providing for a waiver of the reading rules; and providing an effective date.

Simison: Thank you. Council, you have heard this ordinance read by title. Is there anybody that would like to read it in its entirety? If not, do I have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 21-1915 with the suspension of rules.

Hoaglund: Mr. Mayor, second the motion.

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

FUTURE MEETING TOPICS

Simison: Council, anything under future meeting topics? Okay. Item 6 was taken off the agenda, so it doesn't exist. So, with that do I have a motion?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adjourn the meeting.

Hoaglund: Mr. Mayor, second the motion.

Simison: Motion and second to adjourn the meeting. All in favor signify by saying aye. Opposed nay. The ayes have it and we are adjourned.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 8:16 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON
ATTEST:

DATE APPROVED

CHRIS JOHNSON - CITY CLERK