

A Meeting of the Meridian City Council was called to order at 6:03 p.m., Tuesday, July 12, 2022, by Mayor Robert Simison.

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

Members Absent: Treg Bernt.

Also present: Chris Johnson, Bill Nary, Joe Dodson, Berle Stokes, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Joe Borton
<input checked="" type="checkbox"/> Brad Hoaglun	<input 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 it is July 12th, 2022, at 6:03 p.m. We will begin this evening's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: For the community invocation this evening I'm going to turn this over to Councilman Hoaglun for a moment.

Hoaglun: Thank you, Mr. Mayor. We don't have anyone to do the invocation tonight. However, I just wanted to comment that we -- many of you are aware we lost Matt Schultz this week and for those that don't know, Matt is a -- would present quite often before the City Council on -- on developments and whatnot and he's been doing that for a number of years and it was a very sudden and tragic loss and -- and just, please, remember his family in prayer. The picture I saw was him holding his two twin newborn babies and so it's -- it's -- it's a difficult time for the family. An accident that occurred and -- and it's just -- it just shows how life -- how fragile life is and you just never know. So, just remember his family and his colleagues whenever you can. So, just one of those things that when you deal with people you get to know them a bit and -- and enjoy their work and Matt was

somebody who when he said this will get done you knew it would get done. So, that's -- that's a great thing and -- and he will certainly be missed by everyone here in this -- in the city. So, thank you, Mr. Mayor.

ADOPTION OF AGENDA

Simison: Thank you, Councilman Hoaglund. Up now is the adoption of the agenda.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move adoption of the agenda as published.

Cavener: Second the motion.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Summary Minutes of the June 16, 2022 City Council Budget Workshop**
- 2. Approve Minutes of the June 21, 2022 City Council Work Session**
- 3. Approve Summary Minutes of the June 28, 2022 City Council Budget Workshop**
- 4. Approve Minutes of the June 28, 2022 City Council Work Session**
- 5. Approve Minutes of the June 28, 2022 City Council Regular Meeting**
- 6. Apex SE Subdivision No. 2 Sanitary Sewer Easement No. 1**
- 7. Bluebird Carwash Silverstone Water Main Easement No. 1**
- 8. Firenze Plaza Sanitary Sewer and Water Main Easement**
- 9. Impressive East Ridge Subdivision No. 3 Sanitary Sewer and Water Main Easement No. 2**
- 10. Pine 43 Subdivision No. 3 Pedestrian Pathway Easement**

11. **Impressive East Ridge Subdivision No. 3 Water Main Easement No. 1**
12. **Prescott Ridge Subdivision No. 1 Sanitary Sewer and Water Main Easement**
13. **Woodcrest Townhomes Sanitary Sewer and Water Main Easement**
14. **Final Order for Vertex Subdivision No. 1 (FP-2022-0015) by Brighton Development, Inc., Located on Parcel #S1405120902, south of E. Lake Hazel Rd., between S. Locust Grove Rd. and S. Eagle Rd.**
15. **Final Order for Vertex Subdivision No. 2 (FP-2022-0016) by Brighton Development, Located on Parcel #S1405120902, south of E. Lake Hazel Rd., between S. Locust Grove Rd. and S. Eagle Rd.**
16. **Findings of Fact, Conclusions of Law for Ferguson Townhomes (SHP-2022-0007) by Mathew Ferguson, Located at 1335 NE 4th St., Lot 1, Block 1 of the Olive Dale Subdivision No. 1**
17. **Findings of Fact, Conclusions of Law for Jump Creek South (H-2022-0006) by Kent- Brown Planning Services, Located at Parcel #S0428449595 at the northwest corner of N. Black Cat Rd. and W. McMillan Rd.**
18. **Development Agreement (Pavilion at Windsong H-2021-0102) Between City of Meridian and Rama Group, LLC for Property Located at 1680 W. Ustick Rd.**
19. **Resolution No. 22-2335: A Resolution Vacating a Private Irrigation Easement Over a Portion of Lot 12, Block 2 of TM Creek Subdivision No. 2, Located in the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 14, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho**

Simison: Next up is the Consent Agenda.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

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

Cavener: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

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

PUBLIC FORUM – Future Meeting Topics

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

Johnson: Mr. Mayor, we did not.

DEPARTMENT / COMMISSION REPORTS [Action Item]

20. Fire Department: Fiscal Year 2022 Net-Zero Budget Amendment in the Amount of \$3,450.00 for Public Education Supplies

Simison: Okay. Then we will move right into Item 20, Department/Commission Reports. First item up is Fire Department fiscal year 2022 net zero budget amendment in the amount of 3,450 dollars. Turn this over to Deputy Chief.

Bongiorno: Thank you, Mr. Mayor and Council. This is just a simple net zero budget amendment for 3,450 dollars for Pam for public education. This is money that was donated through our smoke detector program. People in the community that donated for our car seat programs. So, this is just taking that money and turning it into funds that Pam can spend on additional public education stuff and she is here if you would like to ask her some questions.

Simison: Thank you. Council, any questions? If not, do I have a motion?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Move that we approve the net zero budget amendment in the amount of 3,450 dollars as presented.

Cavener: Second.

Simison: I have a motion and a second to approve Item 20, which is the net zero budget amendment in the amount of 3,450 dollars. Is there any discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

21. Fire Department: Fiscal Year 2022 Budget Amendment in the Amount of \$2,002,785.00 for Purchase of a Ladder Truck Originally Included in the Fiscal Year 2023 Operating Budget

Simison: Next item up is Item 21, which is a Fire Department fiscal year 2022 budget amendment in the amount of 2,002,785 dollars for the purchase of a ladder truck. Turn this over to Chief Blume.

Blume: Mr. Mayor and Council, yeah, the budget amendment before you is in consideration of the FY-23 budget that there wasn't any discussion -- or substantial discussion on the purchase of a second ladder truck for the service of Meridian. However, after our first and, then, second budget discussion it became apparent to us through conversations through our Pierce Manufacturing, who we purchase our apparatus from, that there was more than water cooler talk and a significant chance of a significant raise in the price as we have presented to you in your budget that you -- that you saw the budget increase -- I'm sorry -- the product being increased between three and seven percent and a definitive -- a definitive increase after that. So, what we are asking for is if Council is in agreement with purchasing the apparatus early, saving the city anywhere between 68 -- or 70 thousand and 140 thousand dollars definitively between now and September and the last thing that I would like to do is be in front of Council the first of October and describing to you the price adjustment that occurred and the money that was potentially saved. So, that is the reason for the request at this time.

Simison: Thank you, chief. Council, any questions? Then do I have a motion?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: As to Item 21, I move we approve the budget amendment in the amount of 2,002,785 dollars as presented for the purchase of a ladder truck.

Cavener: Second.

Simison: I have a motion and a second to approve Item 21. Is there any discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Blume: All right. Thank you, Mr. Mayor, Council.

22. Police Department: Fiscal Year 2022 Budget Amendment in the Amount of \$52,000.00 for Unit # 119 Vehicle Replacement

Simison: Thank you, chief. Our final budget amendment of the evening is with the Police Department for fiscal year 2022 budget amendment in the amount of 52,000 dollars. I will turn -- oh, sorry.

Stokes: Thank you, Mayor, Members of Council. This is a 52,000 dollar budget amendment to replace a police car that was totaled in an accident back in May and we have filed the proper paperwork to get insurance reimbursement after our deductible and I would stand for any questions.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I just want to verify that I understood that the insurance would -- would -- check would come in from ICRMP at about 47,000 or so. So, we have about a 7,000 dollar difference; is that correct?

Stokes: Yes. That's my understanding. And Bill might be able to actually shed more light on it. I just know that we have done the -- started the process to -- to make the insurance claim for the -- the car.

Nary: So, Mr. Mayor, Members of the Council, I can tell you it's -- so, the insurance replaces the value of the car as it is today and this -- I don't remember how old this car was.

Stokes: It is a 2021.

Nary: Yeah. So -- so, they do the present value of the car now. Our deductible is 2,500 dollars. So, minus the 2,500 and the present value for the car -- obviously, it's depreciated slightly and, then, they will -- so, it will be probably between 45 to 48 thousand, something like that.

Simison: Thank you. Any additional questions? If not --

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Was the equipment -- are we able to take most of the equipment out and put it in that?

Stokes: Yes. That's my understanding, that most of the equipment we can transfer to the new vehicle and we are buying -- the way I understand this -- exactly the same thing, a Ford Explorer hybrid. So, it should be pretty close.

Hoaglund: Okay. Thank you.

Simison: And I will be here next week?

Stokes: Maybe next year. I don't know.

Simison: Okay. Council, any additional questions or do I have a motion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Move we approve the budget amendment in the amount of 52,000 dollars for the Unit 119 vehicle replacement.

Perreault: Second.

Simison: Have a motion and a second to approve Item 22 in the amount of 52,000 dollars. Is there any discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

ACTION ITEMS

23. Public Hearing (Continued from June 28, 2022) for CentrepoinTE Mixed-Use MDA (H-2022-0035) by Givens Pursley, Located at 3100 N. CentrepoinTE Way and 3030 N. Cajun Ln. near the southwest corner of N. Eagle Rd. and E. Ustick Rd.

- A. Request: Development Agreement Modification to modify the existing development agreement (Villasport, Inst. #2019-060877) for the purpose of updating the concept plan and provisions to construct

a mixed-use development consisting of commercial space and multi-family development in lieu of an athletic club and spa on 11.17 acres in the C-G zoning district.

Simison: Moving on to this evening's Action Items. First item up is a public hearing continued from June 28th for CentrePointe mixed use MDA, H-2022-0035. We will continue this public hearing with comments from staff.

Dodson: Thank you, Mr. Mayor. Good evening, Council. I would like to note on your hearing outline I forgot to change the dates on the possible motion, so don't repeat exactly what it reads. It still says June 28th, so -- just a quick refresher. This project is located near the southwest corner -- essentially surrounding the southwest corner of Ustick and Eagle Road. At the previous Council hearing two weeks ago there was a lot of discussion about the parking in the center of the development for the proposed future multi-family use. There is a lot of discussion about making the center area self park and, then, removing the parking on the west side west of Centrepoint Way. The applicant responded by proposing this revised concept. So, just quick kind of back and forth. See what catches your eye. The applicant removed the four story from all the buildings in the center. The three buildings in the center. And, then, included a new two story building along the west boundary of similar design and function. But it is two stories. So, then, you have the two story building on the west, everything self parks there with the carports and the open surface parking on the west side of Centrepoint. Then you have the three buildings in the center, which is also self parked according to the applicant and, then, everything on the east side is well in excess. So, it's hard to see on this, but 304 stalls are required here, 304 are provided, and, then, on the east side you have -- I think it's 59 or 60 stalls and nearly 120 are provided. It doesn't look like it, but I did count them and that is accurate. The main points that I wanted to discuss were just these two things. I would recommend if Council approves this to strike staff's recommended provision C.6, as the applicant has made the revisions and, then, add a new provision with the potential of the buildings being moved forward and going to the CUP next. I do understand that the applicant has pictures showing new renderings of what the three story buildings will look like comparative to the four story. But it is my understanding that they are all three stories and below. I will stand for any questions.

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

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Joe, in reading the packet there was a -- a new letter that came from -- I believe a Mr. Grant and he talked about a masonry wall that had been agreed to by prior applicant and they want to see a -- a masonry wall with this project as well. Has there been any discussion about that?

Dodson: Councilman Hoaglun, there has not been any discussion. My understanding with the applicant -- because it's been asked by Council and I think it was brought up in other discussions with the neighborhood meetings the -- my understanding is the applicant doesn't have any issue with doing that and they are providing a 25 foot buffer as well, which is not required by code. So, we can add that as a provision as well if Council would like with your motion. But I did not specifically discuss that with the applicant, no.

Simison: Council, any additional questions for staff? And, then, I would invite the applicant to come forward. You are recognized for up to 15 minutes.

Nelson: Thank you, Mayor. And, Joe, you -- we have got a presentation there if you are -- thanks. So, Mayor and City Council Members, Deborah Nelson. 601 West Bannock Street in Boise. Here on behalf of the applicant MGM Meridian, LLC, and I am actually just going to be here to help drive the presentation and answer questions, of course, and also have Brandon McDougald here with me from Kimley-Horn in case you have questions for him. But Mike Maffia is going to join us remotely and make a presentation. He was sorry he couldn't be here in person, but he had a long scheduled family vacation that he had to drive to Wi-Fi access to present to you. So, he's making a big effort to be here in the way he can. So, I will -- I will drive and -- and he will join by Zoom if you are able to add him in, Chris.

Johnson: And he is able to unmute anytime.

Maffia: Great. Can you -- can you hear and see me?

Simison: We -- we can see you and just make sure you speak close to the mic.

Maffia: All right. Good -- good evening, Mayor and City Council Members. Thank you for your time this evening. I just want to follow up on -- on some of the points Joe made following our previous meeting. We went back to the drawing board to address the Council's concerns of self parking kind of each pod, really focusing on the area between Centrepont and Cajun and, then, really working hard to see what we could do with that area west of Centrepont and those were the kind of primary objections and we went back and -- Deborah, if you could move to the next slide. What we -- what we did is we shifted the three large buildings to the east. We lopped off an entire floor, which is about ten -- 10.2 feet and one thing we did is we removed that interior drive aisle, so now we have this kind of self-contained amenity space and, actually, like Mr. Dodson's solution, I think there is some benefits. It's -- there is less conflict zones with drive aisles. It's probably -- it's more intimate and -- and I think from a security standpoint it will have some benefits. So, I think that is a nice solution there. And they are -- they are smaller scale buildings that I think help with that transition. We -- we updated the renderings in the sections, so you could see that, because those were comments, but I think it also addressed -- we also -- to resolve -- address the concern of the large parking field to west of Centrepont, we added a low two story building there with a -- with a buffer between the residents and I think that will -- not just the landscape buffer, but the building itself will create a nice

buffer to the traffic. So, these three pods now self park and -- and, actually, west -- from the east of Cajun now has 60 surplus stalls, which in working with Joe there has always been comments about having extra parking and that will give us a nice kind of surplus on that side of the equation. Just one quick comment. You know, from multi-family development, four story buildings, they have a great deal of efficiency to operate and so this was -- you know, we lost about 18 percent of our -- our -- our units and -- but we are fine doing that as a concession. And, you know, hopefully this -- this addresses the concerns. Yeah. This just kind of illustrates the -- the lower building that we have lost, the ten plus feet. I think we were well screened before this -- this -- be improved from that and the subsequent section shows the two story apartment building. This is the -- the building west of Centrepoint to -- to Leslie Drive residents and, then, here are the updated renderings and, you know, I feel -- it does look more nestled into the site and lower in scale to help with that transition. So, that's -- that's my -- that's my summary and we worked really hard on this and glad to answer questions that you may have.

Simison: Thank you. Council, any questions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: On -- Mike, you had mentioned the -- the 18 percent less -- fewer -- fewer units. Is that just for the center three or does that include even adding the -- the two story to the west?

Maffia: That -- that's net on the whole project.

Hoaglund: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks, Mike. I -- maybe I missed it, but there was a comment that was provided. Are you going to extend the masonry wall on the west side?

Maffia: I would be glad to do that to create, you know, an additional sound wall buffer.

Strader: Thank you.

Simison: Council, any additional questions? Okay. Thank you, Deb. Thank you, Mike. This is a public hearing. Mr. Clerk, do we anyone signed up to provide testimony on this item?

Johnson: Yes. Janet Bailey.

Simison: And if there is anybody online that would like to provide testimony, please, use the raise your hand feature, so we can bring you in as well.

Bailey: Good evening, Mr. Mayor.

Simison: Good evening.

Bailey: Council Members. Once again I wanted to drive around the neighborhood --

Simison: If you could state your name and address for the record.

Bailey: I'm sorry. Janet Bailey. 2925 North Centrepont.

Simison: Thank you.

Bailey: I drove through the neighborhood, because of this traffic issue that it -- from these drawings it's not going to fix it. That west parking lot -- everybody -- again, I -- I -- I feel like a broken record, but everybody speeds from Ustick on to Centrepont. If they have people crossing there is going to be a bigger mess and when I -- last time I was here I said that we were the traffic study. I meant that we are living that. We see it. We -- or they are seeing and going through this. There is so much traffic and Ms. Nelson last time did -- she had said there is no thoroughfare through there. Yes, there is. If you go straight down Centrepont you can go around and around the edge, come out by discount tire, which makes just a -- more of a speedway down Centrepont. I drove through over by the homes on -- the new ones behind Jimmy John's, both of those, and people are parking on the curbs. So, there is only room enough for one. Coming down Centrepont they are parking on both sides of the street. There is only room for one. So, when you bring in all these extra parking spots it's going to flow into the neighborhood. We do have a walking path and now the foot traffic back there has increased. With all those people in those apartments there will be increased dogs. We have issue with dogs off leashes and dogs making a mess that nobody picks up. It's a big problem. So, the influx of foot traffic, more people doing the walking path, it's going to be a bigger mess and, then, one quick question. Are these upscale apartments? Are they luxury apartments or are they part of the affordable housing that's going on in Meridian? I mean -- I mean they look pretty generic to me. They don't look like they are upscale. They just look like apartments, which I think that could affect the values of our homes, which is our retirement homes. There is a lot of retired people in there. So, I'm -- I'm just really passionate about maintaining a lifestyle in there that I thought when we moved in would be, but it's -- it's slipping away with all this added traffic and people, so I just want to clarify. I -- I really am curious as to what type of apartments these are. I think that will carry a lot of weight.

Simison: And we will let the developer speak to that.

Bailey: Okay. Thank you so much for your time.

Simison: Council, any questions? Thank you.

Johnson: Mr. Mayor, online is J.R and, J.R., you can unmute yourself.

Scofield: All right. I will. Thank you, Mayor and Council Members. I really appreciate the chance to speak. First I would like to thank Councilman Perreault and Councilman Strader for their thoughts and their -- on the last meeting and feeling like they are standing up for our community. I really do appreciate you guys on that. And all of you as a rule I do appreciate you guys. I also wanted to thank Mike for taking the time to redesign your concept and going to the three -- three story units in the middle, instead of four. That -- that is much more plausible for the neighboring community. I do want to take exception to having -- where I do backup to -- directly to the new two story unit. That puts that entire upper row of units -- everyone of them staring directly into my backyard. Originally just -- I was told 12 years ago when I bought this property this property was going to be commercial -- nonretail commercial. Not residential, but nonretail commercial. So, that was what I understood by this. This is what I was -- I bought property as. Having apartments in my back door -- backyard is going to greatly reduce the value of my property and the salability. The vast majority of people that are going to buy nearly a million dollar property are not going to want to have apartments staring in their backyard. And I also agree with the traffic issues. Those will continue to get worse. The safety of the kids. All that nature. Again, this has all been discussed prior. I do appreciate that and for the remainder of it I will yield my time if anybody has any questions.

Simison: Thank you, J.R. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Hoaglund: J.R., I was just looking at the lineup of that section with your lots and it looks like it only lines up to about two lots. So, what are the sizes -- approximate sizes of those lots, yours and your neighbor?

Scofield: Mine is -- are you talking on linear footage on the back edge? Back line?

Perreault: I'm sorry, say that again.

Scofield: Are you talking linear footage on the back line of my lot?

Perreault: Yes. Or just the -- just the acre is fine.

Scofield: Mine is right -- basically right at an acre. The neighbor to the north of me is approximately three-quarters of an acre and so I have about 200 -- roughly 250 feet of back frontage right there that directly aligns with this property.

Perreault: Okay.

Scofield: And that's -- that puts the vast majority of that complex staring directly into my yard.

Perreault: Thank you.

Scofield: And -- and even with the 25 foot buffer that is not -- they are still going to be there, even with a wall, with everything else that's been proposed, there is no way to avoid that line of sight on a two story unit right into my yard and you can see that on -- the other homes going to the south that are two story homes, those homes with the wall and a much greater setback of around 80 feet, has actually have direct line -- direct line of sight into everybody else's backyards. But on a residential on a home you are talking a couple windows, you are not talking several units.

Simison: Thank you. J.R., just for the record, were you able to give your name and address for the record?

Scofield: Sorry, Mayor. I forgot to do that. I'm Jared -- Jared Scofield. 1566 North Leslie Way.

Simison: Thank you. Council, any additional questions? Okay. Thank you very much. Is there anybody else that would like to provide testimony? Okay. And if you are online use the raise your hand feature, please. State your name and address for the record.

McKinney: My name is Wendy McKinney. I live at 6173 North Silver Elm Way in Meridian and I have a presentation he is going to pull up.

Simison: Mr. Clerk, if you can stop the time until we get the presentation pulled up.

McKinney: Can you go to the third slide? Thank you. All right. So, we see the new and the old designs here. I think it's wonderful that they have dropped the height of everything and that is very useful, but there is some other issues. Next slide. Thank you. So, we see the parking has changed quite a bit and there is -- there is a lot of benefits to that, but we all know that typically a two bedroom apartment that has more than two adults has three cars and so it's going to spill into the neighborhood. Next slide. This is kind of a crazy -- I tried to get it right, but it's not completely right. If you can see the one on the left, this is what J.R. showed me -- he's the HOA vice-president. He wasn't able to be here tonight. But this is one of the biggest issues we have here and no one's addressed it yet. These are private roads paid for by the HOA. The residents and the businesses are all paying for all of these roads south of this huge apartment complex. Now, we all know that none of them will ever use any of these private roads once they are there if it's a gated community. If this builder would like to put in a gated community to protect all of their private roads, I think the residents would be fine with that. The one on the left isn't quite as good as the one on the -- on -- sorry -- the one on the right isn't quite as accurate as the one on the left. So, you see on the left there is ACHD, it goes all the way straight down and, then, comes around, right, and, then, you can go out there. Great. Unless these inner ones are protected those roads are going to be paid for by taxpayers. That's

an unfair tax burden. That is completely and totally an abuse of the rights of this situation. So, next slide, please. Please address that. Sorry. I don't know how to erase that. So, parking overflow into the neighborhood. Traffic is going to be increased beyond its capabilities. Privacy overlooking fences. We already talked about. Schools are already overcrowded. There has been some letters into you about that. Safety. If you have a lot of older people and young kids in here are they going to jump on their bikes and go across Eagle to get to the park? They have to have enough space there to play and to enjoy their apartments. Next. Next. So, the COMPASS actually gave some recommendations. I'm sure you looked at those. On the 30th. They asked for better parking and some of that has been fulfilled. Next. And, then, they asked for bicycle parking and to have the bus jump in. If you can just go two down. So, we just appreciate your help, City Council, to help the average taxpayer who vote for you to help us understand how to make this a safe, cohesive community. We want them to build on their land. We want them to be good neighbors and we want this corner, which is going to affect all of Meridian, to be safe and a good place for people to live. Thank you. Any questions?

Simison: Thank you. Council, any questions?

McKinney: Thank you for your time.

Simison: Thank you.

Johnson: Mr. Mayor, next is Joe. Joe, you can unmute yourself.

White: Can you guys hear me?

Simison: Yes, we can. State your name and address for the record, please, Joe.

White: Thank you. My name -- my name is Joe White. I live at 1598 North Leslie Way. Appreciate you giving me the opportunity to speak with you guys on the Council, Mayor, and Mr. Mike Maffia. I don't have a ton to add, other than I am the neighbor to the north of J.R. Scofield and we moved in about the same time as them and I share all the similar concerns that he has, where we are going to have way too many people gawking in our backyard. It's going to create a situation I see with -- with schooling. These kids I assume will go to the same place as my children go and I don't see a great way for them to get to that school. I could see them hopping fences through our properties, which I wouldn't have a problem with, but it could be -- it could end up causing a situation down the road. I'm not opposed to necessarily some sort of residential housing development being in that area, I just think it needs to be designed a little differently and I -- and I agree a hundred percent with J.R. We were told this property behind us was not going to be zoned that way and I'm honestly concerned with -- with having that many residents, you know, in my backyard. So, I appreciate your time. I just wanted to add my -- my voice of approval with J.R.'s.

Simison: Thank you. Council, any questions? Thank you, Joe. Is there anybody else that would like to provide testimony on this item at this time? Nope?

Johnson: We have one more. Idaho Wildflower. You can unmute yourself.

Vrba: Hi. My name is Julie Vrba. I live at 3005 North LeBlanc Way and can you hear me okay?

Simison: Yes, we can.

Vrba: Okay. Thank you. I appreciate the opportunity to -- to give my voice here. One of the questions that I had was along Picard there is currently a fence that has been put up by our subdivision and I'm wondering if this new apartment complex is going to help maintain that fence or if they are going to be putting up their own fence in conjunction with that, because that's an additional expense that we would be concerned with and, then, we were also wondering about the color scheme that's going to be for these apartments. Are they going to be kind of in line with what's currently going on in the subdivision -- or in the area or are they similar to what's kind of going on over by The Village? Some of the darker colors. That was kind of a concern that we had. And, of course, the traffic is a concern for us and Centrepoint, because there are cars that speed onto -- from Centrepoint on Picard and they run the stop sign there right by -- in front of our house all the time. We have got Jimmy John's that goes through there and I could sit all day and watch how many times Jimmy John's goes through there and they just kind of -- they don't stop, they do kind of a hesitant type of look and, then, they go. So, I could just see that being more increased traffic with members of the apartment complex and that's basically all my concerns that I had.

Simison: Thank you. Council, any questions? Okay. Thank you very much. Is there anybody else that would like to provide testimony? Online use the raise your hand feature or in the audience? Seeing none, I will invite the applicant to close.

Nelson: Thank you, Mayor, Members of the Council. I will make a few points and, then, Mike can jump in if he's got additional points to add. It's -- it's -- I think maybe the primary point that we have heard from all of the commoners is about -- is about traffic, so I will start there. Obviously, by reducing 18 percent of the units we have significantly reduced the -- the traffic impact on the neighbors and in particular, you know, we talked about this pretty extensively in the last hearing, but part of what the traffic analysis did was look at what the impact of potential cut through is on an adjacent neighborhood as is appropriate and determined that that was minimal. Centrepoint is a public street. Cajun is a private street going through our development and so the neighbors do come through our development as well to access their property and our site will have access out to Ustick and has all of the access they need legally and to serve emergency use and, again, the traffic analysis found that there would be minimal cut through to the south. But overall lower traffic from this -- this change here. As to the -- the -- the apartments, these will be market rate apartments, not affordable housing. They will be attractive. As you can see from the renderings and as there was a lot of testimony during the last hearing that these are highly amenitized and quality developments with extensive buffers and landscaping and -- and really a fine design on the leasing office to try to bring something forward to the street there with Ustick. Looking to the -- the comments to the west, the City Council

did ask for us to have something there that wasn't just parking, which is -- seemed appropriate and Joe, working with staff, was very clear that that should be capped at two stories as you can see from his condition of approval. So, it is a compatible use to the west. Maybe a fact that's really important to have you understand is that our building will be over a hundred feet from the closest building. So, not only are we providing that 25 foot setback on our property, that as Joe noted wasn't required by code, but the existing buildings are set back 75 to 80 feet. So, it is a significant buffer and because it's only two stories the trees that will be planted in our significant landscape buffer will provide screening, so that the neighbors to our west don't have homes looking down on them. It will be a compatible height at a significant distance with significant landscape buffer in between. As far as there was a question about the color scheme, I think that's shown -- at least illustrated. Obviously, this has to go through a conditional use permit process and design review process, but we did provide renderings to give some analysis of it -- or some visual to the community and the Council of what these might look like and they -- they are very attractive. So, with that I would see if Mike has anything he wants to add.

Maffia: Great. Thank you, Deborah. I think I would just add briefly that, you know, I'm not a production builder. I do a limited amount of projects. I do quality work. I care a lot about creating authentic experiences. We do that with good elevations, quality elevations. The color palette on this is, you know, kind of historical colors. But the vernacular is more of a modern Craftsman that I think blends well. We have decided not to go with the flat roof. We felt the pitched roof was -- you know, related and responded better to the residential. So, these are things that we care a lot and think a lot about. The landscaping we will -- we will try to, you know, emulate and reflect that high desert landscape that so many people, you know, live and appreciate in this area and, you know, those are the details that create a great experience. There will be a lot of amenities in this development. So, those are just, you know, some of the -- some of the items I think about and to address some of the feedback on design and, Deb, I think you touched on -- on some of the -- a lot of the comments. One point on the traffic. This was a -- did reduce I think over 1,900 or -- 1,900 trips a day from the previous use, which was a reduction of 40 percent and, you know, I know it's -- you know, they are not always the most reliable accurate tools, but it's the best we have and it's -- it's a pretty substantial reduction. So, thank you very much. Appreciate your time this evening.

Nelson: With that we -- we would ask for your approval. We are in support of staff's recommended conditions and stand for any further questions you have.

Strader: Mr. Mayor?

Simison: Thank you. Council, questions? Council Woman Strader.

Strader: Thank you. Thanks, Deb. Thanks, Mike. Appreciate the modifications. I feel like this is getting a lot closer to the scale that's appropriate for this location. In terms of transition, appreciate the landscape buffer. Appreciate that the west side building would be two stories. Can you talk to me about the trees? You know, when we plant new trees in developments they are really small. They are not going to screen very much. Do you

guys think you could put some larger caliper trees -- some more mature trees or something that would provide the neighbor with more of that landscape buffer earlier than waiting for like little tiny trees? Thanks.

Maffia: I -- I can speak to that. There just seems to be about a happy medium where too small it takes years to adjust and start producing healthy growth and, then, some of the larger containers take longer to stabilize. You know, we found that 18 to 24 inch boxes is where you kind of maximize caliper, but also growth rate. So, we would consider planting larger caliper size boxes to address that concern to get some evergreens to screen to the neighbors. So, yeah, I -- I have -- I have done a lot of research work with arborists on this particular issue and, you know, in the past we have -- we have gone too big and, then, they sit there and they don't grow for years. Smaller healthy trees, you know, in the appropriate size box tend to grow faster, so --

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: On that point -- and this has come up in previous conversations with previous projects -- I have had discussions with parks and rec about this and they said that if you plant more than a three inch caliper tree at the initial setting chances are it's not going to -- like Mike said, it's not going to grow for a long time or it may even die. So, he was recommending to me that -- to be careful on pushing like, hey, let's put a ten inch caliper tree from the forest right here and hope that it continues to grow and survive. So, I just wanted to point that out for Council.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, Joe, with three inch caliper trees, five feet, six feet tall to start -- what's the height of the building -- that two story building on the west side?

Dodson: Mayor, Council Member Perreault, I can answer that question. The -- the building up to the peak of the roof, a two story is 29 feet four inches.

Perreault: Okay. I have one more question if --

Simison: Council Woman Perreault.

Perreault: So -- and -- and if Joe can answer this or -- or the applicant or both possibly. With these two -- with the -- the current use to the west, which I don't know if it's in the county or in the city and what we have on our Comprehensive Plan for this property, what would be an appropriate transition? Do we have any code related to a transition from this use to the neighboring property, especially if it's in the county?

Dodson: Mr. Mayor, Council Woman Perreault, the -- those two lots -- most adjacent are actually R-2, so they are in the city. The rest of that subdivision does appear to be in the county, though. Well, there is one little pocket in the southeast corner. Code does not, from my understanding, speak to the transition. There is no requirements in code. However, the Comprehensive Plan speaks with -- about it quite often. Initially when the applicant discussed putting apartments there, you know, to help some -- recoup some of the ones lost, they were hoping for three story and I said good luck and I think two story -- two stories everywhere, you -- townhomes were discussed last time. Nobody builds one story townhomes. I just -- I -- I literally have never seen it. I -- I don't see everything, obviously, but it's been a bit of imagery I have seen of the homes here. So, I think that two stories is an adequate transition. I mean I know that there are larger lots, hundred percent, I get that and when you have the number of units to that -- I mean through design with the applicant we could work -- if Council wants to have another provision to minimize the windows facing west, I think that that's plausible. I don't know how that would necessarily work, you know, quality of life for the apartment residents, but I know there are ways to minimize some of those things through adequate design. Obviously, landscaping is the best screening method both for noise as well as visual, but that does take time. I do agree with that. We could definitely work with the applicant to ensure that that buffer is planted well in advance of that building being constructed to at least help initialize some of that growth in the area. But transition wise I do believe that minimally the height -- I -- I can't say I have qualms with that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, I guess the question for you, Deborah and for Mike, would you guys be amenable to starting the landscaping process before construction to sort of give a head start to the -- the buffer there? Would that work?

Nelson: Mr. Mayor, Council Member Strader, I will -- I will let Mike kind of weigh in. I can just tell you from a practical construction development standpoint it's often problematic to plant trees and, then, go grade a site for construction and so there is some practicality to it. But as far as within reason of, you know, that it makes sense the landscaping would survive and you have got the site graded and -- then I will let Mike respond to that question about earlier fronting of landscaping.

Maffia: I'm probably one of the few developers I know that actually go to the tree nurseries and select trees, because we could, you know, tie our hands to three inch caliper, but it's -- it matters about the health of the tree, the specimen of the tree, who is the producer, what's their history and what's their reputation. You know, we could plant them early, but oftentimes, you know, you have conflicts with construction and they are damaged. So, yeah, it would satisfy -- satisfy a condition. I don't know long term if you are going to get the -- you know, the maximum growth out of -- out of a young tree by doing that, so -- and I just don't know if it really accomplishes the goal. I think it checks a box, but oftentimes I just see trees damaged, especially if you are building that wall, you are going to have a

footing -- a concrete footing, so to get in there to excavate, to form, I would say there is a high likelihood you are going to damage trees.

Strader: Mr. Mayor?

Maffia: I do think it's a good -- I think it's a good buffer residential to residential and the two stories, you know, could be -- we looked at office and just -- just this feels more appropriate, a more natural relationship.

Simison: Council Woman Strader.

Strader: Thank you. Yeah. I -- I understand what you are saying. I -- I don't know that we need a condition like specifying the caliper trees or I -- I think it's more just, you know, an understanding. I -- I feel like we are getting to an understanding that you will try to find a species of tree that will grow the quickest, that will provide the best transition with the neighbor, that, you know, you will plant the trees as soon as it's viable and functional. I don't think we need to necessarily create a bunch of conditions. You know, I'm -- assuming as a long term real estate developer that you will be doing business here in the future and we are going to trust you to do the right thing. I just want to know that you are saying, yep, that's what I'm going to do, I'm going to make sure to do my very best to plant the trees that are going to grow quick, that are going to look good as soon as I can. That's just what I'm looking to hear. Not necessarily a -- I don't think we are going to create a bunch of conditions to get to the right place. I think just -- I would like to hear you affirm what I just said. That's it.

Maffia: No. Council Woman Strader, I definitely affirm what you said and I'm very passionate about landscape. I work very hard on how I select our trees and the species and how they relate to the environment and just -- yes, of course, finding the best, healthiest species that are coming out of quality nurseries and, then, maintaining those trees. You know, I'm on my sites frequently looking at the landscape and I'm a very hands-on operator.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: That's perfect. Thank you. I appreciate you saying that and I -- I can tell you do take a lot of care and a lot of attention into that and just as a general comment for the neighbors, I mean this does appear to be -- at least appear to be and I -- I have faith that it will be a very high quality development. This looks very upscale. It looks like there is a lot of thought being put into the landscaping and the amenities and I -- I think it's a much better fit now that it's three stories and two stories on that west side, as opposed to the four stories that initially showed up. It looks like the parking makes sense. So, I just want to say I appreciate all the changes. I know you had to make a lot of changes and that does impact your bottom line, but I do think that this is a better fit. Thanks.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Deborah, I want to make sure I understood what -- something you said when you talked about the setback on the two story and that it was -- I think that's at 25 feet instead of I think 15 is required.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Multi-family is ten foot setback from property line.

Hoaglun: Thank you, Joe. And, Mr. Mayor, continue with Deborah here. So, you are increasing that significantly, but, then, you mentioned something about the buffer, you know, in addition to landscaping. But I was trying -- curious, I think you have got the house, you have got the setback and, then, you will have the masonry fence. Is that how that works in the back?

Nelson: Mayor, Council Member Hoaglun, yes. The buffer on our side is that 25 feet that will include the additional screening that you have described. The practical just point of noting is that we also are 75 to 85 feet between the existing property building and the property line. So, putting those together is over a hundred feet of buffer, which is significant, you know, and -- and certainly helps as that landscape is growing and maturing.

Hoaglun: Okay. Got that. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. So, the structure itself there on the west side, is it going to have balconies that overlook the properties to the west? And I guess I don't -- the trees are a factor for me. However, if they are deciduous -- if they are fast growing they are typically deciduous -- deciduous, in which case they are not -- there is not going to be leaves half the year anyway. So, may or may not be great buffers depending on what's planted. But are you planning on -- on increasing the -- so, first question, are there going to be balconies? Second question, are you planning on increasing the number of required trees and/or vegetation? And I'm not saying that you should, I just am asking if you are. And, then, third, was there any -- any -- I guess I can't think of the word. Did you attempt to maybe put the parking on the very west side of the building and have it come behind the building and -- and move that building towards Centrepont? Imagine you went through a variety of different options as you were changing this. So, if you could share your thoughts on that as well.

Nelson: Mayor, if I could ask staff -- would you mind pulling up our presentation again? Because I think looking at the cross-section to that west side could be helpful as we talk through that issue, so we can kind of illustrate the distance we are talking about and, then, to start addressing those questions as best I can and Mike can jump in. I don't know that we have a -- a landscape plan that's exactly mapped out yet, since we are not at a conditional use permit level yet, so -- I mean we can just talk about what's proposed and what's showing here. So, this I think helps illustrate the -- the distance. Obviously, that's with mature landscaping. But I mean you have got complete screening. As far as balconies, you know, the city does have a -- a minimum 80 foot square foot private open space requirement for all units, which makes -- which is great, because it makes these units livable. These are residents of your city, too, and so they will have that -- I presume and Mike can correct me if I'm wrong, those would be on the backside and that they would enjoy that space there off their balconies. And Mike can speak to the -- the site plan iterations if -- if they considered the parking in the back. I think from -- from my perspective I would just suggest that's not great buffering to a neighbor when you have got headlights and cars, as opposed to a building that blocks the street. But whether that was even feasible there when you have got parking that is along the street, I will let Mike address that comment.

Maffia: I guess -- so, I mean the -- the -- for sure -- certainly want to plant evergreens and try, you know, some -- some deciduous to have a nice mix of fall color. But certainly evergreens, too, to have some permanent screening. Yeah, just to expand on Deb's comment about the parking field, we do try to avoid it or at least feel that the buffer and the building serves as a better barrier. You know, avoids excessive idling and emissions, car alarms, potential crime, things -- things of that sort and, then, with respect to the balconies, yeah, we have the 80 foot per unit requirement. I do have our architect on the phone -- or on the Zoom, so he might be able to speak to it in greater detail, but there will be some balconies, too, to the west.

Dodson: Mr. Mayor? Mr. Mayor?

Simison: Yes, Joe.

Dodson: Yes, sir. To speak more on the site plan to put -- if they put in the parking on the west side, I don't see how they would meet fire code just -- and/or ACHD, because you are going to have to have two points of access to Centrepoint Way. Because I thought about the same thing when I first saw this. I was like, well, why can't we just flip it, but they won't meet the offset requirement to the intersection of Centrepoint and Ustick at the north end and, then, you can't just have one access, because now it's going to be more than 150 feet. So, it just -- functionally I don't see how it would work physically in the world, though I understand your point, Council Woman.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. I appreciate that. Yeah, I didn't have as much concern about vehicles being on the very west side in this case, because there is going to be a masonry wall there as far as headlights and whatnot goes. There will -- there will be a nice barricade. But I just thought that might add some more visual buffer space between the existing homes and -- and the balconies, so can -- I just wanted to ask a question about Centrepont Way. Showing on the new rendering there is approximately 30 feet across that the -- is there a plan to put no parking signs along that section, given what is happening with Centrepont Way to the north of Ustick. It is challenging to get through there and I'm wondering if that's something that the -- the applicant has had a conversation with ACHD about.

Nelson: Mayor, Council Member Perreault, I'm not aware of that discussion happening with ACHD. Mike or Brandon can correct me if that's wrong. But we are not planning parking along there and if ACHD were amenable to it I don't know why we would care about no parking signs.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. I would appreciate that. I think -- you know, 30 feet is not that much when you have two vehicles on either side and you have two way traffic, you are going to have stacking there. What's the -- the distance between Ustick and the property line to the south on Centrepont?

Nelson: I'm looking to our civil engineer for this.

McDougald: Good evening. Brandon McDougald. Address 1100 West Idaho Street in Boise. I -- I don't have the exact dimension here, but I'm going to speculate as best I can based on the scale of the drawing. So, I think your question was what's the distance from Ustick to the south property line along Centrepont. It's -- it's going to be somewhere around 300, 350 feet.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: And the expectation would be that cars would hopefully not line up past the -- the intersection of the entrances to the two buildings, which is 150 feet or so. So, how many vehicles can -- can stack in the -- making a right onto Ustick? How many vehicles can line up there?

McDougald: Approximately eight plus vehicles. But you have got a dedicated right and a dedicated left, so you could -- technically I guess you got 16, depending on which direction they are going. So, on Centrepont there is going to be dedicated right and left and -- and -- and, then, a lane to head north? So, three --

McDougald: Yeah. I believe at the intersection it is currently striped with a dedicated left and a dedicated right. I don't know that that continues all the way. It wouldn't continue all the way down Centrepoint. Probably for about a hundred feet at least.

Perreault: Okay.

Nelson: Mr. Mayor, may I add on to that response as well? Council Member Perreault, I would also point out that the access points were evaluated with the traffic analysis, too, and we have lowered our density and so the overall use of that intersection will be less and it was found to be functional.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: To further that point, I -- again, I understand Council Woman Perreault's concerns there. I have concern whether this is approved or not approved and with the previous use I don't see that access point going east-west across Centrepoint changing at all because of the requirements of fire to have 150 feet -- no more than 150 feet in any kind of parking or having -- they got to -- have to meet offset requirements for ACHD, because I was going to show this and I guess I will to make sure that we are all on the same page here -- about which roads are private and which ones are public. So, this is the site currently, give or take, and this is an aerial imagery from a few years ago. The public road my understanding is this loop road that goes around here -- this is the public. Maybe not way here and, then, this is private, private here. Centrepoint is public road. So, they got to meet the offset here and to Ustick. So, I don't imagine that that access point is going to change to help with the stacking, unfortunately. I think ACHD would not allow it, really, to be pushed any further south, though we can ask because, again, ACHD won't comment on MDAs, but they will send a staff report with a CUP and I can have those discussions with ACHD as well and I don't believe Centrepoint is wide enough to have on-street parking currently as the commercial collector, which I agree -- I don't think we want that and the applicant is not proposing that either. So, I -- I will work with ACHD for sure to help facilitate that.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: How then does that get restricted, because ACHD won't put up those no parking signs; right? We would need to ask the applicant with the DA to do so.

Dodson: Council Woman Perreault, it's probably going to be -- we could require it through the DA, but I know ACHD and Fire Chief Bongiorno worked really well together on these types of, hey, let's sign this no parking, fire lane, kind of thing to help out and I haven't seen ACHD say no to that and because this public road is -- it is where it is and it's not really extending, as Deb said a thoroughfare through another subdivision forever and

ever, like most local streets, I don't see that they would have qualms with that and I don't see fire having qualms either.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I just have a question that I'm kind of more curious about. Is there any precedent for ACHD working with a neighborhood to turn a private road into a public road? Do we know -- has that ever happened? I mean this -- it just occurs to me that East Picard and Seville are going to be taking on a lot more traffic than I'm sure was originally thought. Is there any -- has there ever been an example of that happening? How does that work legally? I'm looking everywhere, because I'm -- I don't know who should answer this question. Maybe legal.

Dodson: Mr. Mayor?

Simison: Sure. Joe.

Dodson: Thanks. My understanding ACHD puts this in their staff reports every single time there is private roads proposed about if they are going to future -- in the future be requested to be public roads they say that additional right of way has to be dedicated and they will have to be constructed per their standards. I don't know of where this has happened, but they will require those things. So, my understanding is that the HOA who maintains and operates the private lanes would have to go to ACHD and start that process. It is not a process I believe would involve the city when it came to that. But Mr. Nary could speak to that.

Nary: Mr. Mayor, Members of the Council, I can basically piggyback on what Joe said. I can't recall ever seeing that, mostly because, again, they are constructed -- when they are constructed they don't meet the standards, they don't always have sidewalks and other things on them because of that and they are proposed as gated communities sometimes in the past, sometimes not. So, that was a decision point made by the developer 20 years ago when they -- when they annexed. So, I agree with Joe, I think it's pretty unlikely just because of the construction standards that would be necessary. You would end up having to remove yards or houses or, you know, parts of house -- parts of lots. I -- I don't think it's very feasible. They could certainly look at gating them and that's another --- applicant -- the HOA could make, but I don't know what the standards or requirements that ACHD would have to do that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. So, different follow up. So, if -- if this subdivision wanted to become a gated community, what would the process be? I mean is there a process in the city for

them to apply to do that? Usually we see them come in that way and I know we have pretty specific requirements around gated communities. It's not something that we really encourage. I think we really believe that the connectivity is extremely important as a city, but if a subdivision were to aspire to -- to gate themselves later, how -- is there a process for that? How does that work?

Nary: Mr. Mayor, Members of the Council, Council Woman Strader, I -- I don't know that there is. I mean we have a miscellaneous application, so it definitely would have to go through ACHD as well. Have to be reviewed by the fire marshal. I mean, obviously, there is a lot of standards that would have to be met to take private streets and now put gates on them instead, but I don't know that it's impossible to be done. I can't recall that ever happening, but I don't know that it couldn't be done, but that's -- again, the HOA has to be the one to apply for that.

Strader: Thanks.

Dodson: Mr. Mayor? Sorry, Mr. Mayor?

Simison: Is this about the MDA application that we are focusing on in front of us this evening? I don't want to take us too far off down a rabbit hole about what others can and can't do in an area that really doesn't, in my opinion, have -- I don't want to speak for everybody, but I just want to stay focused on what's before us today. There -- there still has to go through the --

Dodson: CUP and CZC.

Simison: -- CUP and -- yeah. There is other processes for a lot of these details that we are getting into. I know it's -- it's a -- it's a -- I just want to make sure we are staying focused on the thing in front of us or for what we are here to do this evening. So, Joe, if --

Dodson: I recant.

Simison: Okay.

Borton: Mr. Mayor?

Simison: Not that they are not good questions, just -- I don't know how much they would weigh in in a review in the future.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: To kind of steer onto this applicant, I -- I remember this exact discussion when this was approved, by the way, and the pros and cons of private streets and the reason

that there was that little hook in Bourbon and Picard trying to balance those interests and when you take private streets and build them to different design specs, because that's what you want, this is what can happen down the road. But this -- this was all done eyes wide open, knowing these challenges were going to come. So, couple comments and, then, a question for you, Deb. The public is spot on in their question and concern about traffic. You know, we all -- we just -- we lose sight of the fact that it's, you know, comparing against a grass barren field versus anything is going to increase traffic unfortunately. So, I look at it similar to how it's been presented, that -- that the traffic impact of this application is -- is a certain reduction in any of the challenges of traffic here. That's just a -- that is a certainty. It's -- it's definitely more than zero compared to what you have with a vacant field, but it is a -- from a traffic perspective a clear improvement over what the existing entitled right was with the previous DA that you are changing. So, issues with cut-through traffic and stacking are -- are greatly diminished with this application compared to the existing entitlement. The one thing that -- that your redesign didn't have, which kind of surprised me, because I think you really did a good job of -- of addressing the concerns and -- and, Mike, my hat is off to you in being willing to do that. Those two properties on the west and -- and I forget which Council Member brought it up, but I thought we would have seen, you know, a single story dental office type design, maybe one or two offices on that west side. It would be permitted to do so and certainly would be attractive, greater transition to those two properties on Leslie Way. So, talk a little bit about that decision as to whether that was a viable option to have those -- you know, a couple small dental office, medical office example, you know, professional offices, as opposed to two story apartments on that western portion. I don't know who wants to take it, but I thought there was a comment from Council suggesting that would be a good use of that, you know, instead of a parking lot -- would seem to make sense, so maybe that's still a viable option as well.

Nelson: Mayor, Council Member Borton, I will just briefly start and, then, turn it to Mike, who I think has carefully thought about what we are presenting to you tonight, but my recollection from the last hearing is a number of different uses were suggested and asked the applicant to consider, including two story townhomes. So, I -- I think with that I will let Mike kind of walk through his thinking on why he's proposed a two story residential.

Maffia: Yeah. Since we last met I actually did some reconnaissance, spoke with office leasing experts. It could be one story. It could be a two story office building as well. So, I don't think that necessarily, you know, solves some of the -- the concerns and it just -- it -- it's more harmonious keeping residential with the residential development where they can benefit from the other amenities. So, we were trying to address to comment include a townhome -- townhome type product and also it was suggested for -- for commercial and thought that this was the best solution. You know, wouldn't necessarily be a one story dental office, if that one dental office is in the market looking for that product type it could be a two story as well, which, again, you have the same -- the same issues and I just think in my experience from a programming standpoint long term, keeping the residential next to residential will seem more consistent with the neighborhood and feel. Just my professional opinion.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: To that -- more consistent with whom?

Maffia: The -- the use. The -- the tenant -- the tenant type. The tenant mix. It wouldn't necessarily be -- I mean a dental office or a physical therapist. It could be a medical supply tenant. It could be an office type use that --

Borton: A daycare.

Maffia: A daycare or a medical supply company that doesn't -- I don't think has the synergy and that kind of experience that I spoke to where people are -- you know, they are living there, they are working there, they are playing there, they are having barbecues and creating community and I really think holistically about the experience you are trying to create in this project and I don't want to say it wouldn't work and you couldn't necessarily find that. There is -- you couldn't pencil new construction -- I have done some kindercare work in my -- in my past and it's hard to pencil the cost of construction. There is very few users when you talk about childcare for new construction. They are usually taking a second generation space. So, again, kind of going back to the programming and the experience, we like to think that they work better together when you are trying to create that environment.

Borton: Okay. Thanks.

Simison: Council, additional questions for the applicant? Okay. Well, for now I will let you take a seat.

Nelson: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I'm happy to kick off just a discussion. I -- I appreciate the changes. I think losing 18 percent of the units was a significant concession that helps this development fit in better with Meridian overall and with the neighborhood in this location. I think the masonry wall is an important aspect, that we include that, and, obviously, the height limitations and I thought Council Woman Perreault had a good suggestion about requesting with ACHD to have no parking signs on Centrepont. I thought that made a lot of sense. So, I think with those conditions, you know, I would be in support of this at this point. I was very opposed to it, but I -- I think at this point with these changes it makes more sense. I also feel like the scale of the building on the west side is not incompatible with the surrounding uses. It's two stories. It's not -- yes, comparable to what a home would be. I -- I think with the commitments the developer made around landscaping and

-- I don't think we need a lot of conditions of approval around that, but I think with their commitment on that that we heard here tonight on the record I think, you know, I'm comfortable. Thanks.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: On that point -- and we talked about conditions concerning stories, but I know we reference height, not stories, so looking at Joe when we talk about if -- if this were to proceed with DA conditions, do you need us to specify height or when we reference stories do you do the conversion in the DA to -- to the applicable height that corresponds with it?

Dodson: Councilman Borton, I put stories within my recommended additional DA provision in my presentation. But I usually don't do the calculations, but it also depends on what the discussion of Council is. If their discussion is regarding more actual number, you know, 45 feet or something versus three story, you know, I -- I mean, you can make a three story building as tall as a four story building, depending on how you construct it. So, I would leave that purview up to Council and I try to digest that and put that into the language of the DA afterwards if there is revisions. So, it is C-G, the current zoning, so, technically, the height limit is 65 feet. What I have put in was three -- or sorry. Three story max for the center and two story on the west side building. If you guys want to limit that to specific numbers, the only issue I run into is sometimes the way that we measure height versus, you know, when the applicant actually builds the building, now they got a little bit of a steeper pitch roof and now we are -- are we over the 35 feet that we threw out there and now we got to do an MDA for three feet of different -- like that personally is not worth your time to make those minor changes. But however you guys want to handle it.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Perreault: Yeah. One of the things that makes this a little different than some of the developments that we -- we handle is there is already an entitlement on this property to do certain things and -- and, you know, if this is brand new and they were coming here for a zoning application, those types of things, we have more flexibility to do some things and that's why you look at things where -- where the Villa Sport that had been approved. I mean they were 65 feet from existing homes and that as you pointed out now you are about 150 feet from existing homes to -- to make that -- make that work a little better from the first plan that was brought with a reduced traffic -- units -- reduction in units -- a net reduction of 18 percent and a 40 percent reduction in traffic from the previous use, which -- and, then, we -- we take that 18 percent. So, that's -- you know, it's -- it's pushing it to where we are trying to make it a workable project, but also recognizing the neighbors and the impacts and those types of things. Unfortunately, we can't do everything and -- and

dog poop in neighborhoods is a problem everywhere. Trust me. Everyone's battling that one, but -- and -- and -- and it certainly does -- it does change the neighborhood to a degree, because there will be more traffic, there will be more people and -- and we are seeing that throughout our community and what we try to do, especially where there is an entitlement already existing is, okay, how can we mitigate it to the best degree possible and still have a viable project. So, I -- I think this has struck the balance to -- to make that happen. I think we have got encouragement, thanks to Council Woman Strader for, you know, going into landscaping that's the best possible. I don't think we do need to put any conditions on that, but at the same time they will pay attention to that. Also like -- I have no issues with the condition of no parking on Centrepont in those areas. So, I -- I think we -- we have come a long ways and appreciate the work that everyone has done and the -- the residents there who expressed concerns and -- and certainly their input was taken and made that a better project as well.

Simison: So, questions, comments, motions to close the public hearing?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: If there is not other commentary at this point, I move that we close the public hearing.

Perreault: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I will go ahead and try to make a motion and we could have more discussion if needed. After considering all staff, applicant, and public testimony, I move to approve File No. H-2022-0035 as presented in the staff report for today's hearing date with the following modifications: We would strike provision Roman numeral VI-C-VI. We would require the extension of the masonry wall on the west side of the property as we discussed. Additionally, a new provision as part of the conditional use permit process, a limitation on the western building to a maximum of two stories in height and a limitation of three stories on all other buildings and, then, additionally provision that we would encourage the applicant to work with ACHD to install no parking signs on Centrepont Way if ACHD agrees.

Hoaglund: Second the motion.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I will be brief. Mike, Deb, you guys I think brought forth a really great project. I'm not in favor of it. I will be voting against the motion. There was a really good question I think that was asked in the last meeting, which was just about Council's feelings about multi-family in this particular area and one of the things I think that Council did really good on the previous DA for Villa Sport was really try and manage the negative impacts of the traffic the way that particular project was laid out and how it wouldn't impact homeowners kind of their morning and p.m. commutes. This doesn't address that in -- in a way that I'm -- I'm supportive of. Mike, I have got no concern -- I think you are going to build a -- a stellar project that's going to be really appealing to a lot of people in our community. I hope you look to do projects like this in other parts of our community, particularly closer to the interstate. Kind of reading the tea leaves, I appreciate the work that you have done. I think the Council is supportive. I just -- it's not a project that -- it's not a modification to the DA that I'm supportive of at this time.

Simison: Is there any other discussion on the motion? If not, Clerk will call the roll.

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

Simison: Four ayes, one no, motion carries.

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

ORDINANCES [Action Item]

- 24. Ordinance No. 22-1984: An Ordinance (Pavilion at Windsong - H-2021-0102) for Rezone of a Parcel of Land Located in the Southeast ¼ of the Southeast ¼ of Section 35, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho; Establishing and Determining the Land Use Zoning Classification of 3.42 Acres of Land from the C-C (Community Business) Zoning District to the R-40 (HighDensity Residential) Zoning District in the Meridian City Code; Providing that Copies of this Ordinance shall be Filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as Required by Law; and Providing for a Summary of the Ordinance; and Providing for a Waiver of the Reading Rules; and Providing an Effective Date**

Simison: With that we will move on to our next items on the agenda, which is for Ordinance. Item No. 24 is Ordinance No. 22-1984. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mayor. It's an ordinance related to the Pavilion at Windsong, H-2021-0102, for rezone of a parcel of land located in the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 35, Township 4 north, Range 1 West, Boise meridian, Ada county, Idaho; establishing and determining the land use zoning classification of 3.42 acres of land from the C-C Zoning District to the R-40 Zoning District in the Meridian City Code; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing for a summary of the ordinance; and providing for a waiver of the reading rules; and providing an effective date.

Simison: Thank you. Council, you have heard this ordinance read by title. Is there anybody present who would like it read in its entirety? Seeing no one, do I have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 22-1984 with the suspension of rules.

Cavener: Second.

Simison: I have a motion and a second to approve Ordinance No. 22-1984 under suspension of the rules. Is there any discussion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion carries and the ordinance is approved.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

- 25. Ordinance A-22-1979: An Ordinance (H-2021-0081 Vanguard Village Subdivision) for Rezone of a Parcel of Land Located in Portions of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and All of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 15, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho; Establishing and Determining the Land Use Zoning Classification of 7.06 Acres From the C-C (Community Business) Zoning District to the H-E (High-Density Employment) Zoning District; 17.38 Acres From the C-C (Community Business) and H-E (High-Density Employment) Zoning Districts to the M-E (Mixed Employment) Zoning District; 40.33 Acres From the R- 40 (High-Density Residential),**

C-C (Community Business), and M-E (Mixed Employment) Zoning Districts to the R-15 (Medium High-Density Residential) Zoning District; and 1.10 Acres From the H-E (High-Density Employment) to the CC (Community Business) Zoning District in the Meridian City Code; Providing That Copies of This Ordinance shall be Filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as Required by Law; and Providing for a Summary of the Ordinance; and Providing for a Waiver of the Reading Rules; and Providing an Effective Date

Simison: Next item up is Item 25, which is Ordinance No. A-22-1979. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. An amended ordinance related to H-2021-0081, Vanguard Village Subdivision for rezone of a parcel of land located in portions of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and all of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 15, Township 3 North, Range 1 West, Boise meridian, City of Meridian, Ada county, Idaho; establishing and determining the land use zoning classification of 7.06 acres from the C-C Zoning District to the H-E Zoning District; 17.38 acres from the C-C and H-E Zoning Districts, to the M-E zoning district; 40.33 acres from the R-40, C-C and M-E zoning districts to the R-15 zoning district; and 1.10 acres from the H-E to the C-C Zoning District in the Meridian City Code; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing for a summary of the ordinance; and providing for a waiver of the reading rules; and providing an effective date.

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

Perreault: Mayor Council?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance A-22-1979 with the suspension of rules.

Cavener: Second.

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

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

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

FUTURE MEETING TOPICS

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

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move we adjourn.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 7:27 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

_____/_____/_____
MAYOR ROBERT E. SIMISON DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK