

A Meeting of the Meridian City Council was called to order at 6:01 p.m., Tuesday, February 22, 2022, by Mayor Robert Simison.

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

Members Absent: Luke Cavener.

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

ROLL-CALL ATTENDANCE

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

Simison: Council, we will call the meeting to order. For the record it is Tuesday, February 22, 2022, at 6:01 p.m. We will begin this evening's 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: Our next item is the community invocation, which will be delivered by Pastor Drake -- Troy Drake this evening. If you would all, please, join us in the invocation or take this as a moment silence and reflection. Pastor.

Drake: Thank you, Mr. Mayor, Council Members. Would you pray with me. Lord God, I was just reminded in Psalm 4 that it says there are many who say who will show us any good and that's a little short sighted, God, as you know, that there is plenty of good. We thank you for this great country that we have, that we have this -- despite all of its faults, Lord, we have freedom in our country and -- and we can pursue life and liberty here. Lord, we thank you for our state and this great city that we live in and -- and, God, I just pray for our first responders here tonight, the people who keep us safe, the police officers and firefighters and paramedics, Lord, we pray that not only do they help us, but you would keep them out of harm's way tonight and -- and, Lord, it's cold and so we are thinking about those who are homeless and who need things. Lord, here we are tonight

and we -- we have food in our stomachs and a warm place and -- and people who love us and we just -- our heart breaks for those who don't have those things, so we just prayed, God, that they would find their place to a church or -- or a shelter or a friend or a relative or someone who could provide safety and help for them and, of course, last, but not least, Lord, pray for this Council meeting tonight, the business that they will cover, that you would give these servants for us wisdom and they would be able to, you know, accomplish what you set before them and we just appreciate them, God, and pray that you would impart your grace upon them and we pray all these things in your name, Lord, amen. Thank you.

ADOPTION OF AGENDA

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

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: We don't have any changes tonight for the agenda, so I move approval of the -- of the adoption of the agenda as published.

Borton: Second.

Simison: I have a motion and a second to approve 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 agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

PUBLIC FORUM – Future Meeting Topics

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

Johnson: Mr. Mayor, we did not.

PROCLAMATIONS [Action Item]

1. Black History Month

Simison: Okay. Then with that we will move on to Item 1 this evening, which is a proclamation for Black History Month. Councilman Bernt, would you like to join me at the podium for this.

Bernt: Sure.

Simison: And we will invite President Taylor from the NAACP to join us at the podium as

well. So, we are here tonight to do a proclamation for Black History Month and I asked Council President Bernt to join me down here, because this is really about the relationship that we have been building together with President Taylor, members of the NAACP and others in the community of -- whether it's the Hispanic chamber or others, following the actions from a couple of years ago and so it's really borne of a friendship, a partnership, a relationship, one that's overdue for a coffee, as President Taylor reminded me earlier, from that standpoint. But during the proclamation -- we did our first one last year for Black History Month and we are happy to do it again. So, with that we will go ahead and read the proclamation. 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 2022 national theme for the observance is Black Health and Wellness, which considers activities, rituals, and initiatives that black communities have done to be well and whereas the observance of Black History Month encourages our community to understand and acknowledge the lives of all of its African American citizens and live up to our democratic ideals and whereas we are 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 22nd 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 and continue our efforts to create a world that is more just, peaceful, and prosperous for all. Dated this 22nd day of February 2022. With that, President Taylor, I invite you to say any words and, then, we will do some pictures after that.

Taylor: Thank you, Mayor and this -- and this deliberative body of the city for your recognition. Some of you may not know, but I was here a few years ago to receive this proclamation and at that time I spoke to the fact that Meridian was the first city, to my knowledge, in the state of Idaho, to acknowledge or help Black History Month in this city. In my religious efforts I deal a lot on faith. So, I think it took a lot of faith for the Mayor and this deliberative body to step out and become the first to recognize Black History Month in this great state of Idaho, even though Idaho as a state recognizes it. I would like to report to you tonight that as I speak there is another city in Idaho that decided to step out in faith with you and that is the city of Caldwell. It's amazing that we look at what happened a few years ago as simply being a simple recognition to the African American community. It was a great step. It was an ambitious step and I'm sure a step that was not viewed by all, but all came together to make it happen and you did it again this year and somewhere along the line someone else in Idaho got a message and felt that why don't we do the same and I am honored -- truly honored of my friendship with the Mayor and Treg here -- even though he gets me into all kind of trouble. But then I hear the Mayor say he gets everybody into trouble that he surrounds -- that you would come again and ask me to be here and as I close out one, I leave you with this thought in mind. What if -- what if the African American contribution had been recognized and celebrated during those years that it happened, then, we would not have to have a month to celebrate African American history, because it would have been American history. In fact, that is

what it is. American history. And we wouldn't have to study Critical Race Theory, things that seem to divide the country while we, in the City of Meridian, are trying to bring the community together. So, what if -- and, again, I want to thank you, Mayor, thank you, Treg, for bringing this to your deliberate body and I can assure you the African American Community in Meridian and all over Idaho thanks you for that step of faith. Thank you.

Bernt: Sorry, Mayor, I have a cough, but, you know, I -- it's a privilege to stand before you today and, honestly, I would -- I would call it from a great leader in -- in our -- in our US History, John Lewis, he -- I think he called it good trouble.

Taylor: Yeah.

Bernt: That's what -- that's what you are talking about; right?

Taylor: That's right. That's right.

Bernt: Look, all -- all kidding aside, you know, President Taylor is just not a true leader in the African American community, he is a true leader in Meridian and the friendship that we have been able to develop over the last couple years has been awesome and I really truly appreciate you and the others who we meet at -- yep. Absolutely. And -- and it's -- you guys -- it's just -- it's been an absolute pleasure and I thank you from the bottom of my heart for all that you do, for, you know, the -- the -- to talk about all the accomplishments of the African American community in our city.

Taylor: Thank you.

Bernt: Thank you.

RESOLUTIONS [Action Item]

2. Resolution No. 22-2315: A Resolution of the Mayor and the City Council of the City of Meridian, Appointing Patrick Grace to Seat 6 of the Meridian Planning & Zoning Commission; and Providing an Effective Date

Simison: Thank you, Council. With that we will move on to Item No. 2 this evening, which is Resolution No. 22-2315. This is appointing Patrick Grace to Seat 6 of the Meridian Planning and Zoning Commission. As I mentioned when we did the previous appointments to -- the other commissions, including Planning and Zoning, I had teased that I would be bringing Patrick's name before you to replace Bill Cassinelli on the commission, who I attended his last meeting last week and he -- he provided his notice. But when we were going through with Commissioner Seal we felt that Patrick would give a good rounding out of the committee with the loss of Ronda, with Bill Cassinelli, both from, you know -- fit -- fit with the commission, location where you lived, knowledge of the city, involvement in his local HOA as Paramount and in that area. Being an attorney I think -- you know, Councilman Borton can agree or disagree, but I think it brings a -- a

nice skill set to Planning and Zoning that can help them with their processes and forming those decisions. But it was really the answer -- I don't want to give away my questions that I ask for future applicants, because I don't want people tailoring their answers picking up on what I say, but, needless to say, the comments that he made about negotiation skills, views on personal property rights versus community rights, how he approaches issues and challenges that he faces that I think he will -- he will just bring a great addition to the P&Z, so they can effectively engage and communicate back and forth as necessary with our community as applications come forward. So, he is in the room this evening, but he doesn't get to speak until after he has accepted the job -- or you have agreed to give him the job, unless you have any questions for him. So, with that I would put this before you for your consideration.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move we approve Resolution No. 22-2315, appointing Patrick Grace to Seat 6 of the Meridian Planning and Zoning Commission.

Strader: Second.

Bernt: Second.

Simison: I have a motion and a second to approve Resolution No. 22-2315. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the resolution is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Simison: Patrick, would you like to come forward and make any comments?

Grace: Good evening. Thank you, Mr. Mayor and Council Members. I just wanted to say thank you all very much for the opportunity to serve. I have lived in Meridian for about 16 years now and it's a great community and over the last couple of years or so I have been thinking about ways I can give back and apply for a few positions on some commissions and this one came up and I was pleased to talk to the Mayor about that and, hopefully, bring some of my skill set and experience to bear and, yeah, for the good of the -- of the community. So, I appreciate it very much. I'm looking forward to giving back. Thank you.

ACTION ITEMS

3. Public Hearing for Inglewood Commercial (H-2021-0095) by Goldstream, Located at 3330 E. Victory Rd.

A. Request: Modification to the Existing Development Agreement (Inst.

#2019-124424) to update the conceptual development plan to include a daycare facility instead of a retail use and removal of the 3-story office building in favor of a smaller retail/office building.

Simison: Thank you, Patrick. With that, Council, we will move on to our public hearings for this evening. First up is Item No. 3, a public hearing for Inglewood Commercial, H-2021-0095. We will open this public hearing with staff comments from Joe.

Dodson: Thank you, Mr. Mayor, Members of the Commission -- Council. Sorry. Got me on the Commission now. I'm filling in for Sonya tonight. She had an obligation she could not get out of, so I'm covering this project for her, so be a little nice on this one. You can bash me on the next one. This is for Inglewood Commercial. It is for a development agreement modification. The site consists of approximately nine acres of land, located at the northeast corner of Eagle and Victory Roads. It's zoned C-C and R-15, with the C-C zoning being adjacent to Eagle Road. It is designated as mixed use community on the future land use designation. The applicant proposes to modify the existing DA that is currently in effect with the property, simply to update the concept plan approved for the overall development. The existing plan depicts a mix of uses, including a residential care facility with single family attached homes for independent living on the east portion of the site in the R-15 zoning district, with an office pad and three retail commercial pads along Eagle Road on the west half of the site -- about the western third. No changes to the retirement community or the two retail commercial buildings at the southwest corner -- southwest corner of the site are proposed, except to enlarge the northern building pad and include office as a potential use. In fact, the senior living facility minimally -- I'm not entirely sure about the attached homes, but minimally the senior living facility is already under construction. The very southwest corner of the site is planned to develop with a drive-through restaurant use, more than likely a coffee shop, with indoor and outdoor seating. Three story office building that is proposed to be removed, because there is not adequate space for the building. There is a serious in the middle of the roadway and through the building, which is depicted on the plan. A daycare is proposed in place of the northern retail pad. The applicant's narrative states that walkways are planned from the daycare to the senior living as part of the plan for the daycares for the children to go and visit some of the seniors as well. In the existing development -- no. Sorry. The proposed development plan includes a mix of residential and commercial users, demonstrates compliance with the mixed use community designation in the comp plan for this site. The proposed uses would provide employment opportunities and services for those living nearby. I didn't also mention that the office pad shown on the existing concept plan would not be able to be parked per our standards, which is another reason why they are proposing to remove it. It was a little ambitious in the original development plan. Existing DA will ensure supportive and proportionate -- and proportional public and/or quasi-public spaces, including plazas, outdoor gathering areas, open space, et cetera that will be provided within the mixed use and -- and/or the commercial component of the site. Staff does recommend approval of this. There was only one piece of written testimony, which was from the applicant representative and they are in agreement with the staff report. And I will stand for any questions.

Simison: Thank you, Joe. Council, any questions for staff? Okay. Is the applicant here? Is there anything you would like to add at this time? Please come forward. State your name and address for the record. You are recognized for 15 minutes.

Petersen: Good evening, Mayor and City Council Members. I'm Jim Petersen. Address 6609 Old Mill Circle, Salt Lake City, Utah. So, when we purchased this property -- it's been a few years ago now -- our main motive was to build and develop a continuum of care, kind of an age-in-place concept senior living. Like a lot of in-fills we had quite a few challenges with this, but I think that as a mixed use site it's shaping up really well. So, just a little bit -- don't know if this works at all. No. Okay. So, if you look at the existing plan, we put the senior facility in the middle, put the cottage homes -- basically twin homes to the east to buffer between the eastern neighborhood. So, all that part of the site is under construction and will be opening in a couple months and it's strong great demand, so we are -- we are leasing about twice as fast as our schedule was. So, that's all -- all stays the same and there is no changes to that. Honestly, we didn't put a lot of thought into the commercial part. We knew we had to do commercial along Eagle and the original development agreement -- agreement -- I think we were, yes, definitely a little too ambitious with the three story office building and three more office pads. There is quite a few easements here, too. We have the McDonald's now going through the property. We have an easement directly in from the -- from the -- the Main Street off of Eagle. So, it will come straight through -- actually goes through the middle of that building. Yes, there is an easement there. Fifteen foot easement on the north border and, then, there will be another easement to connect the parking lot or what we plan on developing in case the property to the north gets developed commercial the city wanted to have an ability to -- to connect those commercial parcels, which completely makes sense. So, what we have so far -- so, to fit all this in and meet our parking, our 25 foot setbacks all the way around, our open space -- yeah, it wasn't even -- even close. So, what we are proposing to do is to get rid of the three story office building. If you remember I was here a little while -- a few months ago and we got approval for the corner coffee shop Starbucks use and so that stays the same. The pad right to the north of it, that's small, I don't know what to use will be there yet. Hopefully -- I don't know. Bank. Retail. And, then, the northern part -- we have that under contract for a daycare and that's -- that's another change in the development agreement. So, two things in the development agreement that we need to modify. Get rid of the three story building and it doesn't spell out the use daycare in our -- in our current DA, it's retail, professional, restaurant. But it doesn't spell out daycare. So, that gives us our mixed use and, yeah, we have connecting paths throughout the -- throughout the whole development and -- yeah. Open for any questions.

Simison: Thank you. Council, any questions? Thank you very much. I don't -- Mr. Clerk, do we have anyone signed up in advance on this?

Johnson: Mr. Mayor, we do not.

Simison: Okay. Is there any -- anybody in the audience that would like to provide testimony on this item or anybody online that would like to provide testimony? If you are online use the raise-your-hand feature. If you are in the audience and would like to

provide testimony, go ahead and come up to the podium at this time. Seeing no one online or in the audience, would you like to make any additional final comments? Okay. Then, Council, we will turn it over to you for questions, comments, or actions.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Quick question for Joe. He had mentioned that the -- the concept plan -- we show daycare, but it's a retail office facility of some sort, so that's -- it's not required to be daycare in this DA?

Dodson: Councilman Hoaglund, my understanding is it's not that specific, which is fine. It's an allowed use in the C-C -- well, I should say conditional use in the C-C zoning district, which I believe they have already submitted for that and they are just waiting for this DA mod to be -- move forward in order to change the concept plan overall. Not necessarily the use proposed.

Hoaglund: Okay. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault?

Perreault: Yes.

Simison: Okay.

Perreault: Thank you. I have a question for the applicant, please.

Simison: Okay. He's coming forward.

Perreault: Thank you. So, all in all I don't think I have any concerns regarding the two proposed changes to the development agreement, but I'm just curious what the integration will be like for pedestrian activity for the subdivision that's to the east. That's a pretty signature subdivision there in Sutherland Farms, so how will this kind of integrate into the surrounding residential there on the east side? I don't see any walkways that are coming over or any information about that.

Petersen: Yeah. So, we don't have the ability to, I don't believe, have a walkway from the development directly to the neighborhood to the east, with the exception of the sidewalk that we will be putting in along Victory Road. So, for people in that subdivision to the east to get to our development you would have to go along the sidewalk on Victory Road. That's the only connection that we are planning at this point.

Dodson: Mr. Mayor?

Perreault: Thank you. Mr. Mayor, follow up?

Simison: Council -- yes, Council Woman Perreault.

Perreault: Thank you. Can you take us through the circulation with the daycare. The entrance that's there along Eagle Road on the south side of the daycare, is that a right-in, right-out and how will that traffic flow?

Petersen: Yes. Off of Eagle Road that is a right-in, right-out only.

Perreault: And so will individuals come in and then -- oh, they will come in that way to -- too pick up from a daycare and, then, exit out sidestreet then?

Petersen: So, they can exit onto Eagle and make a right or they could draw through the parking lot and connect onto Titanium and that's a full access.

Perreault: Okay. So, there isn't concern about them flowing through near the -- the senior living facility --

Petersen: No.

Perreault: -- evidently or --

Petersen: No. That's why we have the access -- originally we had the access to the north of the facility and, you know, years ago before we did the development of the facility we moved it to the south kind of for that purpose and the other thing that the city has really paid attention to is -- you will see Titanium will be a through street. So, right now it's just dead ending to the north of our property and also the parking lot we are going dead end into the property to the northwest, because it's only a matter of time until that gets developed, which traffic -- got to give more option for traffic to flow that way.

Perreault: Thank you.

Simison: Council Woman Strader.

Strader: Thank you, Mr. Mayor. Council Woman Perreault did ask a lot of my questions, but could -- I see here where there is like a covered parking -- it says parking garage. But I was just hoping -- could you walk me through the pedestrian connectivity? The existing concept plan called out some crosswalks, but is there going to be a -- maybe walk me through the pedestrian plan.

Petersen: Yeah. I wish that was on the side. I'm just noticing that that's not on this plan. There is -- so, where you see that long parking garage, that's what it is is a garage. They are separated and there is a walkway through there and, then, there is a walkway to the north -- along the north property lot and -- or I shouldn't say the line, but, yes, along there and, then, there is walking to the south also. There is -- there is connections there. So,

there is quite a few connections through there around the site.

Strader: And, Mr. Mayor, thank you. I appreciate you answering those questions. And I appreciate -- of course, it could change, but appreciate that there is a daycare located here and that's a huge need right now in our community.

Petersen: Yeah. That's what I hear. I mean I know they have done the studies and when we did the senior living sites it's amazing demand for both and they work well together. I mean side note is is where my kids go to school in Salt Lake is right beside a senior place and they connect a lot. Like they go over there and, you know, preschool and stuff, do -- sing for them and do events and it -- it's a positive thing for -- for both. Yeah.

Simison: Joe, did you have something you wanted to add?

Dodson: Mr. Mayor, I was just going to add a little bit to the connectivity and the -- or I should say the plan connectivity. Not just along Victory, but as the applicant noted, Titanium will wind up being moved north and connect all the way through to the north, but also to Publisher there. These were already existing back fences, so you can't have pedestrian connectivity through private property there, so there will be another pedestrian vehicular connection should this property or these properties be developed in the future, which my understanding is there has been a few pre-application meetings on this site already. So, there is something maybe coming down the pipeline to help with the overall connectivity of pedestrians, as well as vehicular.

Simison: Thank you, Joe.

Dodson: You are welcome.

Simison: Council, any additional questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I'm happy to kick us off and move that we close the public hearing.

Borton: Second.

Simison: I have a motion and a second to close the public hearing. All in favor signify by saying aye. Opposed no? The ayes have it and the public hearing is closed.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Happy to make a motion on this. I think it -- that the changes are maybe more realistic than was originally envisioned, but it feels like it's a good fit for this part of our community. So, I would move that after considering all staff, applicant, and public testimony that we approve File No. H-2021-0095 as presented in the staff report for today's hearing date.

Borton: Second.

Simison: I have a motion and a second to approve Item H-2021-0095. Is there any discussion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion carries and the item is agreed to. Thank you. Have a good evening.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

4. Public Hearing for Lennon Pointe Community (H-2021-0071) by DG Group Architecture, PLLC, Located at 1515 W. Ustick Rd., in the Southeast Corner of N. Linder Rd. and W. Ustick Rd.

- A. Request: Annexation and Zoning of 10.41 acres of land with a request for CC (2.1 acres) and R-15 (8.3 acres) zoning districts.
- B. Request: A Preliminary Plat consisting of 42 single-family building lots, 1 multi-family residential lot, 1 commercial lot, and 2 common lots on 8.8 acres of land.
- C. Request: A Conditional Use Permit for an 18-unit multi-family project.

Simison: Next item up is a public hearing for Lennon Pointe Community, H-2021-0071. We will open this public hearing with staff comments.

Dodson: Thank you, Mr. Mayor. The next project before you for Lennon Pointe Community requests annexation and zoning, preliminary plat, and conditional use permit. They also submitted for private street application, which is an administrative approval and the director has offered approval of that private street. The site consists of 8.8 acres of land, currently zoned RUT. It's located at the southeast corner of Linder and Ustick. Does not have any application history with the city currently other than this. And the future land use designation on the site is also mixed use community, which allows residential uses with a density -- gross density of six to 15 units per acre. The request for annexation is for 10.4 acres of land, two acres of C-C, and 8.3 acres of R-15. The additional acreage accounts for the -- well, require acreage to go to the center line of the road. The preliminary plat consists of 44 building lots, 43 single family residential, and one multi-

family residential lot and one commercial lot and two common lots on the 8.8 acres of land in the C-C and R-15 zoning districts. The conditional use permit before you tonight is for a multi-family development that consists of a total of 18 units on 1.18 acres in the R-15 zoning district. They requested R-15. Again, the applicant has received approval in a portion of the project. The subject site has existing City of Meridian zoning in all directions around it. The site is directly bordered to its north and west by arterial streets. Development of the surrounding areas are ongoing with detached single family to the east and south in Creason Creek Subdivision. Multiple office buildings are being constructed to the north across Ustick Road within -- within the C-C zoning district. The C-C zoning district to the west contains an ambulance service on the west side of Linder Road. In addition to the existing land uses around the property, the subject site contains two major waterways, which you can see more clearly on the map on the right aerial. This big one here, as well as this one. This is the Kellogg Drain and this is the lateral, but I can't remember what happened to the other map. Because of the two waterways almost the entire property is within a floodplain. The applicant is proposing to pipe the drain and reroute it to make more area of the site usable, as well as provide open space and pathways in the southwest corner of the site and along the west boundary. The proposed land uses are attached single family townhomes, multi-family, and commercial. These land uses are consistent with those outlined in the mixed use community future land use designation, both in its definition and the contemplated uses within its purpose statement, especially when they are properly integrated internally, as well as with the surrounding uses -- surrounding areas. Overall staff does find the proposed site design offers appropriate integration. Specifically the applicant has proposed their multi-family residential along Ustick and the commercial buildings on the hard corner of Ustick and Linder, which places the most intense uses closest to the arterials, which is generally Planning 101. Therefore, the single family uses are proposed in the remaining area of this site, which makes up approximately 70 percent of the site. The applicant is proposing the single family portion of this site is all two story, except for the five unit townhomes along Linder, which would be these right here. In addition to the site design and proposed uses, certain densities are required to be met for residential projects within the mixed use community designate. Again, six to 15. Based on the 8.8 acres, the proposed project is approximately 7.3 units per acre. If you take out the commercial area it bumps it up to a little over eight that the gross density allow. Overall staff finds that the project is consistent with the comp plan, as well as the future land use designation. Staff did recommend that the units along the east boundary, which is shown on this map, that they be frontloaded. They were originally proposed as alley loaded utilizing the public street as an alley, rather than the front street. So, there used to be a walkway here. They removed that as was recommended by staff and these are just going to be backyards abutting backyards. So, it should be more private than a walkway and people trying to enter their front doors. The following site data is also relevant when reviewing the preliminary plat overall. The residential uses are allowed uses with an R-15 zoning district and future commercial uses will be analyzed when those future applications are submitted. Again, they are requesting C-C zoning, which is not the general commercial. A few more restrictions in that zone. All dimensional standards are met with the proposed preliminary plat. The commercial and the multi-family meets all the dimensional standards, as well as all of these building lots within the single family area of the site. The -- in terms of the multi-family specific

use standards, each multi-family unit is proposed as a single story unit within two buildings. It appears there are nine buildings in each unit. So, three, three and three. It's a three story building. The multi-units have been -- the multi-family units have been revised. So, the -- the amount of private open space has not been confirmed, but the previous one had more than what was required of the 80 square feet and in the future certificate of zoning compliance staff will ensure that those -- that minimum 80 square feet is met. For the 18 units at least two amenities from two categories in code are required. The applicant has proposed a shared plaza -- really, two at this point. One here and one here. And public art, which is in this shared plaza here. Therefore exceeding the minimum code requirements. Overall for the plat a minimum of ten percent qualified open space is required. This is from the old code, because it was submitted prior to the recent update. Based on the proposed plat of 8.75 acres a minimum of .88 acres of qualified open space should be provided. According to the applicant's revised open space exhibit, approximately 1.7 acres of qualified open space is proposed, which is approximately 19 and a half percent. Almost twice the minimum amount. The majority of this open space consists of a large open space in the southwest corner of the site. The central meeting and half of the arterial street buffers, which are allowed to count per code. Again, this area vastly exceeds the minimum UDC requirements. Staff finds that this proposal open space is adequate in both its amount, as well as location. Also based on area of the plat a minimum of one qualified amenity is required to be provided. The applicant proposed three qualified amenities. A ten foot multi-use pathway, a children's play structure, and a fenced dog park. This is one of the changes that was also made at the Commission hearing -- between the Commission hearings. Move the dog park here. They are going to connect a multi-use pathway in this location as well and they extended it all the way up along the west boundary when they are not required to and all of the pedestrian connections through here is also important. The proposed amenities, therefore, exceed the minimum UDC standards. The applicant has proposed, as I noted, pedestrian facilities throughout the entire site with attached sidewalks, micropaths, and the multi-use pathway. All these facilities connect and integrate throughout the site and offer more than adequate pedestrian circulation. All proposed sidewalks and pathways meet UDC requirements as well. The project exceeds the off-street parking requirements per the submitted plans. Future building permits for the single family will verify compliance of off-street parking as each building permit comes in. Guest parking has been proposed along the private street segment of the project as well. The applicant has a better exhibit than I do to show that. Access to the site is from the adjacent arterials, as well as the existing stub streets to the property. Linder Road there is an access proposed -- there is an existing access to remain. A 25 foot wide driveway connection, which is here. It aligns with the access on the west side. It is a temporary full access per ACHD, because the access on the west side for the ambulance service is a full access. So, my understanding is that if they limit the access to one side, they will limit to both and they don't intend to limit the ambulance service. The access to Ustick is the same, but it will be -- it is already going to be restricted as a right-in, right-out only. The other access points to the site are from existing public street connections. West Pebblestone along the north, I believe, and, then, North Zion Park Avenue from the south. So, that this segment of the project is the public street and that also meets our ACHD requirements of 33 feet wide within 47 feet of right of way, with five foot attached sidewalks and that a private street portion of the site

is off of this public road, comes through here and here. This could be not necessarily a private street, but a multi-family commercial drive out here, as well as off of Linder and another drive aisle here to connect -- to help any cut-through traffic. Instead of having to go through the commercial end of the residential, they can come through here. That was another change made by the applicant. The applicant is proposing three detached single family homes that are in the very southeast corner of the site and near the previous area of the dog park. These are accessed off of the common driveway -- at least two of them are, but the other one accesses off of the public road. This also complies with the UDC standards. Since the Commission hearing there have been no changes, because there was -- the project was continued from one hearing to another and all those changes were made between those two hearings. The Commission recommended approval to the Council on this. At those hearings there was a lot of discussion about the proposed multi-family units adjacent to the existing family -- the single family homes to the east. The proposed height disparity across the property in general with just two stories being consistent and the property to the east being a mix of two and one story. There was some general desire to construct the property with detached single family homes only. There is concerns with the general increase of traffic in the vicinity with additional homes and/or units. Furthermore, they discussed the location of the dog park. The kind of commercial that is proposed -- or I should say anticipated in the corner, as well as the viability of the commercial with no direct access. There is general agreement that the proposed changes to the site plan are a benefit to the project and help with integration, as well as conformity to the Comprehensive Plan. There is still concern with the proposed attachment units along the east boundary, but they did not -- the Commission did not make any recommendations to change that. Since the Commission hearing there have been additional letters from a member of the public noting the same issue that the Commission discussed, as well as reiterating traffic concerns and a desire to keep this area single family, rather than mixed use. I will stand for any questions at this point.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Joe, I'm struggling with seeing this as mixed use community versus mixed use neighborhood. I feel like it has a lot more of the mixed use neighborhood identity. So, can you help me understand how you went through analyzing that as staff? I just -- to me mixed use community is a lot more heavier use than what's being proposed and it's larger commercial buildings may be more representative of the area of commercial than residential. So, I just -- I'm not seeing this as matching what we have on our Comprehensive Plan.

Dodson: Council Woman Perreault, that's a great question. It's -- largely what it comes down to is just the size of the property and the hindrance of the irrigation facilities. When you have 8.8 acres and the larger is not even going to be able to be touched, we don't anticipate them meeting the three uses on 8.8 acres anyways. That's usually generally

considered a little bit small to try to meet all three uses, but they have. They have exceeded that, including the commercial. Now, in addition we -- may appreciate that they put it along the arterials, rather than adjacent to the residential. You would be surprised of the plans that we have had submitted on this site -- this is at least the third applicant that I have discussed this site with. Granted, this applicant actually moved forward with something and it is the better of the three. It is not -- it is not always cut and dry when it comes to looking at the mixed use designations. I do agree this is probably more in alignment with mixed use neighborhood than mixed use commercial and it -- especially because of the site constraints. I could definitely understand the desire for more commercial here, but as with anything, when you put commercial neighbors usually hate that, whether it's good for the community or not and that's unfortunate, but it generally is what happens. The Commission did discuss that maybe even flipping the multi-family and the commercial or adding more commercial along Ustick. That probably would increase some cut-through traffic further to the east, because the access within Creason Creek -- I can't remember the street name -- probably be better access for those utilizing the commercial. I hope that answers your question.

Perreault: Mr. Mayor?

Simison: Council, any questions for -- Council Woman Perreault.

Perreault: Sorry. It does answer my question, Joe. I understand the limitations with the side -- of the site. I just -- I'm assuming that if they don't put the multi-family in and keep that as a retail or commercial, then, there is concerns about meeting the three different types of uses. Is -- is that something that's -- that -- I mean is that a hard and fast thing that the applicant has to have the three uses over the -- the type of use in terms of how we analyze it? I mean I just -- it's -- I'm just trying to understand like how we can best integrate this into this corner, because it's a really unique corner, how it's going to develop out. The area in the northwest from the corners had lots of issues. It's four acres. There is issues with getting anything built there, because of the geography. So, I think this whole corner is really critical for us to look at as a whole and I just had a lot of concerns about getting this one right.

Dodson: Council Woman Perreault, those are great points. I completely understand. If I could wave a wand I would include more commercial as well in all of these mixed use parcels. So, I do understand that. The three uses are not necessarily multi-family, single family, different types of residential and, then, commercial. Within the comp plan we largely look at residential as one use, not multiple types of uses. They could be multiple types of residential uses. A residential use is residential. Where they meet the three uses -- and, again, it's not a hard and fast requirement on a site this small. It's a recommended portion -- recommended comment -- or requirement I should say -- a recommended requirement -- that doesn't make sense, but -- it's a recommendation within the comp plan to have those three uses, but when it's a site this small we usually do not make that a hard and fast rule. If Council wants more commercial, because we have lost commercial in other areas of this corner and further to the east, that's understandable. That's something that staff has mentioned in all of the pre-apps with the applicants. That's why

we pushed them to maintain a commercial component of the site. Most people would have preferred not to do commercial at all on the site, so I will leave that up to the Council to make that determination.

Perreault: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. What is -- maybe a question for the applicant if we don't have the answer, but I guess I'm just curious, what is the distance from that sort of northeast corner from the northernmost building there to the single family and do you feel like that's an appropriate buffer? It just feels like a really large building to have next to single family residential.

Dodson: Are you referring directly to the east along the east boundary?

Strader: Yes. I'm referring to the northeastern most corner of the site.

Dodson: Great question. That came up at the Commission hearing as well. Both of them. It was somewhat short. I believe it was originally like 26 feet now because they took out the two -- or they took out a whole section of units along the east boundary. It's now a minimum of 44 feet between the fence -- to the property line and the east side of that building.

Strader: Thank you.

Hoaglun: Mr. Mayor?

Simison: Councilman Borton.

Borton: Joe, is page 39 of the staff report depicted as changed or is that the original --

Dodson: More than likely the site plan within -- if you are talking site plan, then, it should have been changed, yes.

Borton: It's just an illustration of the 3D image on page 39.

Dodson: Similar to this I hope?

Borton: That's all right.

Dodson: Perhaps this?

Borton: Yep.

Dodson: That one? Yes, that's been updated. Correct.

Borton: Okay.

Dodson: Yeah, this would have been closer with another building. Probably where the Progress ends right here, because they did have a walkway here still and now they took that unit out, reduced it from four stories to three stories. Granted the very peak of roof is still at the maximum 40 foot height limit within the R-15, but, then, it slopes away and, then, pushed it further out, add some more open space and greens -- greens -- wow. Trees.

Borton: Okay. Thank you.

Dodson: It's been a heck of a February.

Borton: Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Joe, in your staff report it says there is temporary full access on Linder. What does that mean and can that access be taken away?

Dodson: Council Woman Perreault --

Perreault: The full access.

Dodson: Yes. Yes, ma'am. That's -- I tried to explain that briefly. It's a full access right now, because from -- my understanding from ACHD is they don't want to limit the access on the west side of Linder for the ambulance service that's out there, so -- but, yes, ACHD can remove that and make it right-in and right-out. Maybe that happened. I do not have any idea when or if that could, but it can happen, yes.

Simison: Council, additional questions for Joe? Then I will ask the applicant to, please, come forward.

Wheeler: Mr. Mayor and Council Members, Andrew Wheeler. 2923 North Arthur Circle, Boise, Idaho. 83703. With DG Group Architecture. And, yeah, I appreciate your time this evening in looking at this project. It's been a long road, about two years and multiple design concepts and we have been working on it for about two years, multiple design concepts, and have worked really closely with staff. Joe has been fantastic throughout all this, as you can tell from his report, very detailed and, you know, we have been working on it for a while. So, to start off, you know, in looking at the City of Meridian goals and vision, you know, for the future mixed use community zone, one of the main purposes is to allocate areas where community serving uses and dwellings are seamlessly integrated

into the urban fabric and as noted in the staff comments, the site proposes as a transitional density from the existing single family to the main arterial roads on the perimeter and this definitely supports the goals of the City of Meridian in bringing more housing, which we desperately need and finding that balance, which we can talk more about of the -- on the commercial use. But I mean they are certainly concerned in the marketplace of providing too much commercial and you also need enough residential to support the commercial. So, trying to find that -- that balance on all those issues. So, we can jump into the presentation for Lennon Pointe Community. To start off I will step back to the existing conditions. Looking at an aerial map of the site in the southeast corner of Ustick and Linder, you can see, when you zoom out a little bit, the connectivity of the local street network, so there are multiple exit points onto Linder and Ustick. So, we are not funneling everybody through West Pebblestone to one exit on Ustick or one exit onto Linder. In looking at some of the challenges on the site, this is a survey that we initially received multiple challenges. So, the arterial streets, difficult to get access in and out. We have single family on the east and the south end and, then, the Kellogg Drain, which runs through the middle of the site, which is severely limiting any development potential and, then, the floodway, which is in the bottom left corner, and, then, a lot of -- about three-quarters of the rest of the site is in the floodplain. So, that whole lower southwest corner is untouchable, more or less, for any development. Here is an existing photo looking on Linder looking north of the existing curb cut, which we are proposing to utilize. This is the connection from the Creason Lateral to the -- let me step back to here also. That's the Creason Lateral on the southwest corner and, then, you also have the Five Mile Drain that goes roughly parallel with Linder. So, there is a lot happening in that southwest corner. This is an image of that Creason Lateral. So, this is looking south, southeast. This is the Five Mile Drain culvert looking west. Northwest. Again, the single family in the distance. This is looking southeast. This is North Zion, the existing road, and the existing single family. You can see the eastern single family to the right. This is how the road currently dead ends into the property. Again, see those single family of mostly two story on the east side. Here is that neighborhood that is on the -- through West Pebblestone and North Zion. And this is the West Pebblestone Road that dead ends into the property on the east end. Here is the existing single family, which would be adjacent to that plaza that was shown moments ago and you can see the height differentiation there where the site is actually lower than the existing single family, which we will get into a little more and, then, this is looking at -- standing on Ustick looking west at that single family. So, as Joe mentioned, mixed use community, proposing three different sites of the commercial on the northwest and, then, next mixed -- or the multi-family on the northeast and single family in the majority of the site. A lot of the -- the constraints that we were working with, one is access. So, we were -- we had to use utilize the existing curb cuts along Ustick and Linder to meet ACHD requirements. Another requirement of ACHD, as Joe mentioned, was the public road. So, they wanted us to connect West Pebblestone and North Zion, so that was a requirement that we needed to meet, which we do in this. And the overall spirit of the project, you know, was how can we have front porches, how can we have eyes on the street, how can we, you know, have a community that isn't -- it's little car centric as we can make it, have a building that faces the patios and decks face off of Linder, not garages, and, you know, make it an overall benefit and positive impact on the community. The red dash that kind of goes on the

south border and, then, up to the northwest, that's the purposed easement for the Kellogg Drain, which intersects with the floodway. So, that's one way we were able to, you know, utilize the site a little bit better, getting some efficiency by overlapping those two uses, which we have worked closely with Nampa-Meridian Irrigation District on to accomplish that. On the commercial building, you know, you can see kind of in the center of the site is our public plaza and this graphic kind of helps illustrate a little bit better on the pathways and how those sites are interconnected. Here is that public road, just to illustrate what is public and what is private, with the majority of the other road being -- all of the other roads being private and so this just shows more clearly that pathway plan, the dog park in the -- the lower left corner. And here is an open space exhibit to illustrate where open space is on the site. So, we have fairly distributed open space throughout. It's -- it is the majority -- the majority is concentrated in that southwest, but we do have, you know, the MEW that runs through the center, as well as the plaza in the upper right northeast corner and in this center, the main plaza for the commercial. As Joe mentioned, here is a parking plan that illustrates where we -- we show parking or where we are providing parking. In the commercial we are required to provide 24 stalls. We are providing 25. There is a 500 square foot per stall requirement. In the multi-family portion we are required to provide 33 and we are providing 35 and that includes surface parking, covered surface parking, and three on-street stalls, which is on a private street there. And, then, in our single family we are required 173 stalls and are providing 197 and in yellow is the guest parking or the street surface parking, while all other units would have two car garages and two cars in the driveway. So, ample parking throughout. And a rendered view, which Joe has shown earlier. So, to kind of quickly go through the building design. The intent is for a bit of a more modern aesthetic on the commercial and the multi-family to, then, contrast with the more traditional look of the neighborhood of the single family residential. Materials would be metal -- metal siding, concrete masonry unit, concrete wainscot and storefront windows. This is the larger of the commercial buildings on the corner and, then, this would be a more satellite commercial, which we anticipate, you know, an ice cream parlor, could be a tap room, could be, you know, any use that's going to activate that plaza and kind of bring the community together a little bit more. There is a view of on the right of those two commercial buildings. This is looking south on -- standing above Ustick and, then, here is a view of that commercial space adjacent to that plaza with that public art feature, in which we see as a space that will come -- become very activated and, you know, people will -- businesses will want to setup a location here. The multi-family building, it was revised to be, as Joe mentioned, nine units per building, three stories per plat and three stories high, with one -- a single car garage in the middle there, it would be two, three and one bedrooms, with the middle unit being a one bedroom. In order to help -- when we brought the height down, you know, to accommodate not only just the general massing, but the existing single family to the east, we also pitched down the -- the patios -- patio roof to kind of reduce that height as much as possible and add a little bit more articulation along Ustick. Here is an exhibit that shows those setbacks a little more clearly. So, we are 44 feet to the building wall. We do have a stair tower that's roughly eight to nine feet coming out of that. So, there is a -- you know, we are roughly, you know, 30 -- 34 feet, 35 feet away from the property line to this stair tower -- stair tower, which, again, has no windows, is a small portion of that overall elevation. In looking at the -- the building heights and the grade heights, the existing single families at a 25/75 grade elevation, our

site pad is a 25/72. So, we are already dropped three feet below the existing single family, which helps further reduce that scale. Here is that same image you saw moments ago, the plaza, which is -- you know, provides a nice amenity space, welcoming entry into the site in a non -- in the -- not the main entrance, but, you know, a satellite pedestrian amenity for the residents. This is a view looking west, if you are heading down West Pebblestone, with the multi-family on your right and, then, one of the concerns -- this is if you are coming in off of Ustick and heading into the site, looking west. There was a concern that people are going to mistakenly go through this drive aisle and try to get to the commercial, because we originally had it open. So, we -- since our -- our first Planning and Zoning meeting we have blocked that off with landscape, as well as added signs that say resident only, you know, no through traffic. That's that entrance. This is looking north of Ustick coming south. This is Building B, the five unit townhome building, adjacent to -- on the west end overlooking Linder. Materials on this would be shake siding, board and batten, wood panel siding, a bit more of a traditional look. Asphalt shingle roofing. Stepping down to single story garages on the -- the west side or the east side of the building and there is a view of that. That's that ten foot path that connects that you can see goes up towards north on Linder and, then, adjacent to the tot lot on the left there is that Building B. We have one three unit building, which previously was two stories and now is -- or was three stories, now it's two stories. Similar design concepts similar materials as Building B and is located to the northeast of the dog park. You can see that in the right-hand corner there. So, that kind of steps back to get an overall view of the dog park, the floodway, the Kellogg Drain reroute and this is on the -- standing on the north -- southwest corner looking northeast. The single family homes -- we wanted to have some variety and differentiation to not have one home type throughout the whole community. Primarily they are the same footprint and with the one revision on the garage side and the patio side being a gable on the patio side in one version and a hip roof on the other and, then, you flip it to invert that for a variety of -- or variation of aesthetics and so this is looking at that MEW and kind of what that starts to look like when you put that all together with the low four foot fence to encourage, you know, neighbor interaction, visibility, and foster that community that we are trying to create here. And we do have the three single family detached homes, which are two story, similar traditional style in the southeast corner. This was the previous park of -- the dog park, which was a positive change and feedback from Planning and Zoning of moving it to a larger area, so now this can be just an open space for children to play or any -- any residential use. Similar to Building A in the -- all the units along the east boundary we have the same three foot drop in grade differential between what's currently existing and our proposed pads. Here you can see our setbacks. To the wall we are 18 foot eight and three foot lower and we are about 19 foot six high to the roof and our second story patios are 22 foot back. So, there is quite a -- we are well above and beyond the required setbacks. Here is a view of that looking west of those eastern homes. I would also note that one thing that came up in our Planning and Zoning hearing was the scale of these buildings and you can notice that while we are providing two lots, the overall building mass is roughly equivalent to what's existing on the larger single family homes. So, from a massing scale perspective we are aligned to what's already been -- what's already existing. This is a view looking north. That would be North Zion coming in, the public street on your right and a view looking east off of Linder and a view looking south on Ustick. It's been a long design process on this project

and we have gone through a lot of different iterations and versions and trying to find what's going to really work with all these constraints. We feel that we have come to a solution that meets the city's needs for housing, provides a connected mixed use community and is going to be beneficial overall for the community and the City of Meridian. So, with that I will stand for any questions.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Building A, if we could go back to the graphic that shows it next to the neighbors. This is probably the area that I have the most heartburn. I read the minutes from Planning and Zoning and I appreciate the changes that you made. Even at three stories it just feels like this -- you know, as you quoted from our Comprehensive Plan and we are supposed to be seamlessly integrated into the urban fabric. I'm not sure for me this is the definition of an appropriate transition. You have a single family home 44 feet away from a three story building. Did you guys consider some kind of modulation, for example, perhaps making the part of the building that faces the neighbors a two story building and, then, even increasing the height the further you get away from the neighbors, is that something that you guys took a look at? Just help me understand, you know, kind of the different -- the process you went through with kind of modifying this specific building.

Wheeler: Yeah. Originally the building was a four story building and up to that property line -- and which we actually that neighbor came to our neighborhood meeting. He was not -- I mean he wanted us to keep a willow tree there and wanted to make sure that we were going to have enough landscaping to screen it and -- you know. So, he wasn't very upset by it at four stories against his property. Then once we got the feedback from Commission about dropping it, we kept it at four stories for the majority of the building and dropped -- they were two story units before, so we -- and four high, so we lost the top two -- or top one and so it would be a two story only. At our first Commission hearing that was deemed not enough to -- you know, for the overall mass and scale, so we reduced it. We just omitted it completely, added the pedestrian amenity, and went to the whole building been three stories. So, we have gone -- yeah. We have -- we have done that exact process and -- and this is where we have aligned. I would say that, you know, with a corner and with a site on a hard corner, if you will, I mean I think that there is a -- there is a level of density and a level -- of density that I think is appropriate for a site in this location and how do you seamlessly tie into that? I mean I guess that's always the challenge. But we can certainly look at that as far as stepping that there if needed. In my opinion I think that a three story building, 44 feet away, does provide -- and not to mention three foot lower than the existing subgrade -- or the existing surface of the single family pad. So, it is quite a substantial setback.

Strader: Mr. Mayor, if I could follow up, I have just got a couple quick ones to knock out.

Simison: Council Woman Strader.

Strader: Thank you so much. I appreciate that explanation. You know, still at 40 feet I totally get it that there is a -- there is a different grade, but this is still pretty high next to single family residential. That's my struggle. So, I just -- the first thing. And, then, the second thing is in line with Council Woman Perreault, we are losing more and more commercial in the city relative to residential and that -- that is an overall concern of mine. For the smaller amount of commercial that you do have, have some ideas being thrown out there, what stage are you at in terms of that coming to fruition? One thing I always worry about is approving a mixed use development. Of course, the residential will come, but when will the commercial come? So, I was hoping you had an update on your timeline there.

Wheeler: As far as what use is specifically going to happen there? We don't have a specific user yet, but the intent is that -- we did provide a drive through access on that larger parcel, the 9,000 square foot commercial building, so whether that be a -- most likely a bank is what we anticipate could be a use there, which would be a complimentary use next to the traditional -- or to the neighborhood, but we are very open. We know that there is going to be a CUP process to get that approved anyways and right now we don't have an end user in mind, but --

Strader: Okay. I just have one more.

Wheeler: If I could just touch on your point before about the -- the lack of commercial. There is also that balance of providing enough housing to support that commercial and I think that there is a lot of hesitancy in the marketplace to build too much commercial. So, I think from a market factor -- market driving factor, who is going to shop at those commercial locations and providing parking for those when you can provide a denser housing type that's going to provide more users per square foot of land.

Strader: Thank you. Yeah. Just to comment on that and everyone's got a different philosophy, but from my seat, looking at the future of the city, that's a timing question and we have our whole future to get it right. So, I don't feel -- I don't feel that we need to be in a rush in terms of -- you know, I want us to move appropriately to have the right development that we need. I guess just one more -- maybe if you could -- I do actually want to say -- compliment you. I appreciate the pedestrian oriented development. I can tell that you guys put a lot of thought into that. You don't have to comment on this, but if you wouldn't mind commenting a little more on price point. Did this serve a specific need in terms of more -- kind of affordable -- more affordable or middle of the road housing here? How does this kind of position within the market?

Wheeler: I don't have any specifics on that, but I would say -- I mean we don't currently have any affordable funding or, you know, it's not a -- we are not proposing an affordable housing project, but certainly want to provide housing that's going to be -- provide housing that -- for two people who can afford it and the end of the day I mean somebody's got to live in these homes and we are reaching a point now where, you know, at what point does

the market say no. So, I don't have a specific answer for that.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I have three or four questions as well, if I might ask those in succession?

Simison: Go for it.

Perreault: Okay. Thank you. Somewhat similar along the lines of Council Woman Strader. As far as the commercial goes, I know that the commercial -- mostly industry tracks rooftops and we have a lot of approvals coming into the area and it creates traffic challenges to spread the commercial out so far from each other and so, therefore, these mixed use neighborhoods -- mixed use neighborhood areas are just really critical and I don't have a problem with approving a plan that leaves blank space sitting waiting for commercial to come after rooftops are finally built. I don't have an issue with that. I would rather have that space dedicated. I realize the developers don't -- you know, they don't want that land sitting there and not being utilized, but this is just an opportunity for us to make sure that we have the appropriate ratios and we are not currently in Meridian in -- in my opinion we are not -- we are not right on ratios yet. So -- so, questions about the -- the commercial buildings themselves. The -- the mixed use community says that there is not supposed to be a strip mall type of feel. So, is this going to be like one building that has three for tenants in it? Individual buildings that are one -- kind of give us an idea of what you envision that looking like. Is there going to be five businesses in there or two businesses in there and, you know, how much of that is expected to kind of come from people or riding their bikes or is there intended to be a lot of traffic coming in from -- you know, within two or three square miles? That's the first question.

Wheeler: Yeah. I thought you are going to keep going on the other ones. Yeah. So, appreciate the question. The current square footage on those buildings is 9,000 square foot in the northwest corner, the larger one, and 3,000 square foot in the lower. More than likely the lower would be its own user adjacent to that plaza, which I think would provide a lot of information, you know, with that being a center gathering point and, again, that could be an ice cream parlor, a burger -- burger place. It could be multiple different uses, but something a little bit more aligned in that nature. It possibly could go to 1,500 square foot uses, but more than likely I would anticipate a one 3,000 square feet user. For the 9,000 square foot building, we do provide double loaded drive-through on that. We vision that being either a -- you know, two 4,500 square foot users or possibly three 3,000 square foot users. So, there could be a potential of four to maybe five businesses on that commercial corner. There is a chance that a larger user would want to use the single 9,000 square feet. It's a little hard to tell right now, though, on what -- what's going to actually happen there. But as I mentioned with the CUP and revising it, you know, to the needs of an end user of what that might -- you know, how we need to adapt that based on -- on those needs, based on the approval than what's -- you know, the constraints that we would have at that point. So, that is anticipated that there would be some adjustments

that may -- may need to be made.

Perreault: Okay. So -- and understand that. And, then, there was a member of the public that was talking at the Commission meeting about, you know, whether it would be one owner, you know, who is -- is this going to be sold off? It's not uncommon for -- for these developments to have those commercial pieces that are sold off to separate owners. That being said, how will the associations integrate -- the homeowners association -- are you going to have a separate business association for those two buildings from an HOA that's being managed -- so, in terms of ownership are -- are the -- is the multi-family going to be condominiumized? Is that going to be like its own individual investor and, then, the -- the five units on the west will have its own ownership and, then, the homes are going to be sold or rented or help us kind of understand like how many different owners do you have and how are they integrating with one another when it comes to landscaping management and private road management and that kind of thing, because it seems like it could get really split up.

Wheeler: Yeah. Certainly. The -- from private road and landscape management, I mean that would be in a private road agreement between the -- the properties and a cross-access agreement, as well as the landscape portion of that. They are parceling that as separate sites right now, so we -- we do not know if the same user or buyer, builder, will come in and build everything -- one -- one of the buildings, you know, the townhomes and the multi-family or also the commercial. So, right now it is -- I don't have a direct answer on who is going to own those or how, but certainly there is mechanisms that we can put in place to -- to maintain the integrity of the -- the integration of all three of the sites.

Perreault: So, at this point you don't have even like -- you don't have a buyer for -- or a builder or anything setup to know whether this is going to be four, five, six different owners on the site and whether it will integrate well with managing the site as a whole. It's just like the -- you know, usually there is some more space between commercial and residential where they are not right up next to each other and right -- or have some more integration with -- with this same ownership -- you know, I'm just -- I'm very concerned that it's all going to be managed and eventually start to look like -- not like a -- you know, integrated project anymore, that it will just be managed in a way that will seem really divided I guess.

Wheeler: And maybe you could help me understand a specific concern of how that division might take place. You know, it -- from my understanding, you know, if somebody is using -- operating the commercial space -- and to answer your question on the townhomes, more than likely those would be for sale, not for rent. So, if you have homeowners there that, you know, want to utilize the commercial plaza, for instance, and, you know, be patrons of that business, I don't think that the business would have any problems with that and so help me understand kind of your specific concerns on what you see as -- as issues there.

Perreault: Right. So, if I'm a homeowner in that and the commercial or the multi-family investors are not -- are not maintaining those, it's going to affect my property value. So,

the more owners and investors that you have that are maintaining things at different quality levels, the more challenging you -- is usually trading the market for value -- for all the parties.

Wheeler: Specifically to this landscape and trash pickup, that type of --

Perreault: Structure or trash pick up -- anything that would consider, you know, utilizing a -- you had a significant amount of grass in that greenspace; right? It could be kept very well and look really beautiful or it could look really terrible. It's -- you know, homeowners -- homeowners associations that are just individual neighbors, if you have some of -- you know, the feel -- the HOA that are -- that have the owners and, then, over here on the -- on the west side you have got five townhomes that aren't owners, they are -- they may have different priorities as to how all this green space is going to be maintained, because some -- some are invested in different -- in a different way. So, like that park could be managed very differently if it's being managed by a group of homeowners and it's being managed by an investment group that owns an apartment complex. But, yeah, they are all supposed to be utilizing them and it's supposed to add value to each property.

Wheeler: Yeah. And we do plan on having an HOA agreement, you know, on the property and how that ties in between each -- for the single family, the multi-family and the commercial is yet to be fully determined, but we are -- we are more than happy to, you know, coordinate however we need to -- to ensure that that does maintain the best appearance as possible or as -- as designed.

Perreault: Thank you. I appreciate that. I do have a lot of kids -- I mean as far as like what the conditions are that the city puts on it, I don't -- I don't know and that would be a question for staff or for Legal about how we can condition that -- or if we can condition that from a management standpoint, but that has me pretty -- pretty concerned about just how that will function as a whole, so -- and, then, the third question I have is regarding the -- the amenities for the multi-family. So, I realize you guys have -- have geographic limitations on this with the laterals and that you have done a really fantastic job I think with the open space and the green space and there is just a lot of things about how you designed it that I really like, but there is a couple of things that have me concerned and that is that the multi -- the multi-family to the north, it feels like it's really kind of lacking in amenities actually. So, maybe I'm just not getting a good vision. And prior to having -- adding in extra space up here in the northeast corner, there -- there was only just the one lot that's faced with a piece of public art down here in the commercial area and there was pretty much no amenities for that multi-family up on the north side. So, it -- can you help me understand like how -- what -- I mean I don't know. I feel like kind of a piece of public art is not really a good -- a good amenity for -- to -- I mean what does it do, you know? I mean like -- this is multi-family. I feel like there should be something more functional, so maybe I'm just in missing the vision for it.

Wheeler: Yeah. Thanks for the question. I think that one of the main reasons is we view this as, you know, mixed use community where we weren't trying to -- intending to put site amenities at each site for that amenity. You know, the nature of -- and spirit of mixed use

being that those multi-family users have adequate walking paths to that plaza and also through the MEW, to the dog park, to the open space and can integrate into that community, so -- so, that was going to -- one part of that is that answer. The other is just being strictly limited by, you know, the site constraints of what we are -- what we were required to do here with the three different uses with the access points coming in and the southwest corner of losing a lot of that land. So, between those two you are not wrong, they -- there are very few amenity spaces, other than the -- the new plaza in the northeast and -- but that -- but you are directly adjacent, you know, to the -- the current plaza with the public art. But there are not -- we don't have a fitness facility or, you know, anything of that nature in that multi-family. So, yes, there are a few amenities on Site B, but they are very close and integrated with all the other amenities, which we are providing above and beyond what we are required.

Perreault: Yeah. Yes, you are. No, I'm not -- I'm just -- I'm wanting to try to see, I guess, a better balance in the project as a whole and I understand constraints that come with it, I just think it will be nice to have some green space and picnic space and something that's -- that's outdoor space and utilize that north side that creates a little more balance for that, because, obviously, the -- the townhome users will have their own backyards; right? And -- and, then, they will have this big park, but on the north side there is -- there is not anywhere to -- that's really dedicated. It doesn't -- it feels like it's kind of an afterthought. So, just one more quick question for you and -- can you help me understand how the residential was going to be buffered from the commercial? There is just a little drive -- drive aisle, but like is there going to be -- and, you know, all the renderings that we see always have these big gorgeous trees in them and when they are planted they are like four foot tall and have no leaves. So, it takes ten years to make it look like what the pictures show. So, what kind of -- you know, normally when we have commercial to residential buffering there is a 25 foot buffer. So, what -- I mean just help me understand are you going to have like a wall in between the commercial? Is it -- what's that going to look like to kind of differentiate -- hey, this is a residential area that's private now and this isn't somewhere that we want people kind of going and driving around from the commercial.

Wheeler: Yeah. Great question. The smaller 3,000 square foot commercial, the back of that on the south side, that whole strip is heavily landscaped and I understand the concern of -- of trees not reaching maturity after some years. You know, we could certainly up that, you know, from a vertical height perspective of the type of landscape that goes in there. We weren't intending there to be a wall, again, back to the spirit of mixed use community, you know, walls that aren't private backyard is -- probably don't fit into that category and in our understanding. We certainly would look at putting up a wall if that was something that -- that Council deemed appropriate, but I think a good solution to that would be to condition the project of having a certain height of landscaping or some type of -- specify the landscaping or density of landscaping on that south side. I feel like that's kind of the main area that you are talking about; right? That needs that buffering. So, yeah, I would answer it that way, that we would want to -- the intent is to add landscaping there to buffer it, but we can certainly increase that as best we are able.

Perreault: Thank you. That might be a question for staff. I know -- I mean, you know, they are just going to say what -- what is required by code. I don't know how we as Council would kind of say what the appropriate amount would be, but I just -- we do have areas of the city where there is commercial that backs up to residential and we have taken great care to make sure that there is some sort of sound buffering and, you know, we don't know what hours that this is going to function at. I mean, you know, an ice cream parlor might be open until 9:00 p.m. So, we want to take those things into account.

Wheeler: Understood.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Thank you. Great question, Council Woman Perreault, and to be honest staff kind of saw it a little bit more aligned with the applicant of kind of wanting the integration and even amenable -- currently it doesn't meet code, because the setback is supposed to be 25 feet landscaped, not necessarily a drive aisle. So, staff was -- is amenable to having that reduced per what is shown, because the physical separation will be greater than the 25 feet -- it looks like it's going to be at least 30 feet in most cases, if not more, with some landscaping. If Council feels differently that is definitely your purview, you can include an additional condition of approval that just says denser landscaping and/or meet that minimum 25 feet. With just landscaping that's probably going to require some other modifications for the site, but it is what it is. It can be accommodated, yes. But staff did see it a little bit more as an opportunity for the integration. You know, from a personal standpoint I lived in an apartment with no green space between the back of a commercial building and it was really just random people in my apartment complex, that was way more annoying than the commercial. So, it just -- it can go either way.

Perreault: So, is there any consideration made of moving that 3,000 square foot building up to the north and, then, just having all parking in that section and adding more --

Wheeler: Yeah. I mean we did look at several different design options. We went through so many of them I can't remember if it was that specific one. I think we also wanted to -- there is a requirement of 50 percent of the site or a building frontage, you know, being along -- along the site. What we were attempting to do was to, you know, put the building on the hard corner for visibility and screen some of the parking from -- from view from that main intersection, but also let users see that there is parking there. So, they know, you know, what they are going into it or, you know, I think that most users like to know that they can see where they are going to park before they pull into a -- a development or entry into someplace. So, it was a balance of those two that we were trying to find and another driver to that was our drive though. You know, since COVID, you know, it's a big demand to have a drive-through and it opens up various, you know, different users and a wider branch of potential users. So, that was also a driver for why that's open, because that becomes that circulation path for that. And, then, thirdly, having the commercial adjacent to the public plaza, put the public plaza a little more central or as central as we

can make it to help aid in the -- in the use of that commercial space. So, we could certainly look at that, but those were the reasoning -- the reasons behind how we got here.

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

Wheeler: Thank you.

Simison: We are going to go ahead and take a 15 minute recess and so we will reconvene at 7:50.

(Recess: 7:34 p.m. to 7:51 p.m.)

Simison: All right. We will go ahead and come back from recess and, Mr. Clerk, we will move into public testimony. Do we have anyone signed up in advance?

Johnson: Mr. Mayor, we do. We have two people signed up in advance. Carissa Sindon.

Simison: When your name is called if you would come forward and state your name and address for the record and be recognized for three minutes.

Sindon: Hello. I'm Carissa Sindon. 914 North 8th Street in Boise. I have an interest in this property, because I grew up on it. I'm 43. I lived there from the time I was a baby until I was 20 years old. So, I spent half my life on that property and as you can tell I'm a native and I support this property because I think it's -- or this development because I think it's a good development. I like the dog park. We need housing. And the public art element is also good I think. And as a native you can imagine I have seen it change a lot here and that especially right now there is a housing crisis and we need housing, so it can become more affordable for everybody, but I just want to tell you a little bit about the history of the property and it looked very different when I was a child and I just want to tell you our perspective and that I know a lot of the neighbors are concerned about the traffic, losing their views, their quality of life. I have sat in on both public hearings at the P&Z level, so I know what their concerns are and I just wanted to share that those have been our concerns for over 20 years. My parents left the property 15 years ago. They have moved. They would still live there today if they could, but they can't, because it's not the same property that it was. When I was a child in the '80s that was a two way stop. Two stop signs. Now there are lights there. I think it's four lanes, at least on one -- I think it's all the way around. We used to have a barn on the east side of it -- you know, on the west side. We had a huge barn. I had 4H goats. I was in 4H. It was really a rural lifestyle for us and the barn is no longer there, so it's really not the same property anymore and I was out there last week and the property -- or are the south -- I remember looking at the south and the east -- even like three years ago those houses weren't there. So, what was there before these houses were there? They were our views. They were open farmland. And I think it's unreasonable to think that this property would not be developed, because that's what's happening out there and the property is unrecognizable. Like I would get teary eyed looking even the pictures up there, but I was out there and it's just like that's

not our home anymore. So, I think that it does need to be developed and -- yeah. So, I just want to support the development and just give you the perspective of somebody who grew up there and that it's -- Meridian is a different place now and, yeah, you are going to lose your views. We lost our views. My dad used to be able to see Squaw Butte to the north. Can't see it no more. And so, yeah, it was a farm. It's no longer a farm and that's the end, but thank you for listening to this. Hopefully this will help move the approval that have gone through the same thing that my family has gone through.

Simison: Thank you, Carissa. Council, questions? Okay.

Johnson: Mr. Mayor, next is Jim Petersen.

Simison: Is Mr. Petersen here?

Johnson: There were two other people signed in, but they didn't say they wanted to testify.

Simison: Well, if there is anybody here that would like to provide testimony, please, come forward at this time to do so and if there is anybody -- do we have anybody online --

Johnson: We do not.

Simison: We don't have anybody online, so just anybody here if you -- state your name and address for the record.

Shanaberger: Good evening, Council Members. My name is Matt Shanaberger. I live at 3072 Northwest 13th Street in Creason Creek. Appreciate you all having this meeting tonight and allowing me to speak. So, we have lived in Creason Creek for about three and a half years. Our house was the first house on 13th Street that was fully constructed and move-in-able. It's my wife, I, and our five year old son. I have lived in Meridian for ten years now. The first six and a half years I lived in Red Feather, which is just north of Kleiner Park. When I first moved in to that house Kleiner and The Village weren't built yet. About two years in that's when all that went up and we saw the traffic through our neighborhood go up quite a bit. I realized that Kleiner and The Village are quite bigger than this proposal, but what I really worry about is the commercial aspect with it being integrated into the residential. I could see it being fully developed as commercial and being blocked off from the rest of the neighborhood and only having access from the two points on Ustick and Linder, but with that road that goes east to west just south of Ustick -- I understand they have put in some scenery that would stop traffic theoretically from entering that, but I have seen human nature, I have seen it when people see the shortest path to get there and they are turning left from Ustick onto 13th Street to get into there, they are very likely going to go -- go right through. So, while it is unfortunate that residents often complain about commercial being in residential, I think there is a way to do that properly without integrating it into the residential. Ultimately I would love to see it be single detached family homes. I'm fine with it being townhomes. I just really worry about the commercial aspect of it. Thank you all for your time.

Simison: Thank you. Council, any questions? Is there anybody else that would like to provide testimony on this item? Come forward. State your name and address for the record and be recognized for three minutes.

Bitler: Hello. My name is Caryn Bitler. I reside at 3055 Northwest 13th Street in the Creason Creek Subdivision on the eastern side of the proposed Lennon Pointe Community. My concerns and suggestions are as follows: Instead of having townhomes for the eastern side of the development, we suggest single family detached or patio homes, which Commissioners Cassinelli and Yearsley suggested on the December 2nd meeting. Therefore, this would alleviate density and I would like you to commit to ten to 12 foot mature trees, thereby, these foliage will upgrade existing fences, it would reduce noise and also protect our privacy. Mixed use will increase traffic, more congestion, pollution and crime. We suggest that you limit the residential portion to detached family single homes and patio homes for the entire development, thereby increasing our home values. Initially the builder purchased the entire 80 acres and it's been revealed that the developer decided to sell the commercial portion, thereby, bringing to our attention their lack of confidence to fulfill the commercial portion of their initial contract with the City of Meridian and, thus, showing us their ineptness to find suitable commercial businesses and abandoning their commitment. This leads to the question will it stay vacant? Will it be a mixed use? Will it be changed to residential? Will it be single family detached homes that would add value to the area? The mixed use community is on the northeast corner of Linder and Ustick. It's being built, as well as several townhomes being built presently on Ustick, which is less than a mile away. The proposed Lennon Pointe Community is being built in a flood zone, as evidenced by the map provided by Jason Korn from the city's Public Works Department. All homes built on farmland already have a high water table, even though geotech gave their authorization to build, Creason Creek had geotech authorization to build and on -- we are not in a floodplain. It's evidenced in that map and still we had flooding in our crawl spaces. Our neighbor had to remedy this and it cost them several thousand dollars and these neighbors are to the north of us and had worse flooding. Just because geotech did approve the go ahead should not make it truly a go ahead. Coupled with the proposed development being in a flood zone and an extreme flood zone can make it architecturally worse to build there ultimately. Also, the proposed pipe -- the proposal to pipe the Kellogg Drain doesn't seem to be effective, since water has to go somewhere. Leaving it undisturbed can be the best course of action. It's my understanding that there is a current Meridian historical council in place. Unfortunately, there are no regulations or codes how to treat the historical locations as -- as 1515 Ustick, the barn, and the Creason Creek Lateral and there is things in the Idaho historical sites inventory, which was prepared by the Meridian historical tag and they do stuff in Boise, but they don't anything here. We have it set up, but nothing is done. So, what I am asking, in summary, is for your consideration to re-think building the Lennon Pointe on existing farmland in various flood zones, while manipulating existing drains, as well as consideration for the historical preservation of the Creason Creek northwest lateral. If you feel the need to proceed, please, consider the existing homes to the east and build single-family and detached or patio homes with large mature trees that won't uproot our existing fences. We ask you to take the best course of action in order to have the least impact in our community, the generation, and those that follow. Thank you.

Simison: Thank you. Council, any questions? Okay. Is there anybody else that would like to provide testimony on this -- on this item? Then I will ask the applicant to come forward to close out this public hearing.

Wheeler: So, I will start with -- I will get to the concerns and the testimony in a moment. To touch on the HOA and that conversation, you know, in talking with our client, who is the builder on the project, the intent there would be to build those townhomes and, then, sell them individually, as well as build and hold the multi-family all under one HOA and having the commercial under that HOA and, then, a sub HOA for the commercial and the multi-family, since they would be -- the multi-family in the townhome HOA would be two different, you know, verbiage to accommodate those. So, that would preserve the integrity of the landscape and the cleanliness of the site. So, I wanted to touch on that. Also to address the pavers on the south side and the screening -- or providing pavers on that south road would be one mitigation measure that we intend to do. We do need to provide some on-site storm drain mitigation anyway, so that would help to, you know, beautify that space a little bit better, as well as providing denser landscape and the -- and, then, on Building A, with the intensity of that facing the existing single family, that -- that is a whole side of the home. Joe, do I have that presentation up? And I will pull up that photo really quick here, but there -- I don't even know if there are any windows on that side and it's the side yard of a house, so it's not as if that's their front living room that's facing -- yeah. So, you can see here I don't believe there are any windows that are even above that fence on that home there. So, it is a side yard and so it's very little intrusion. Now to touch on the -- the testimonial issues, in looking at commercial and blocking off West Yellowstone -- or West Pebblestone, that was actually our original plan. You know, when I was laying this out, you know, why would we want to encourage traffic to flow from our site into the adjacent single family. ACHD came back and made it a requirement that we connect North Zion and West Pebblestone. So, that's the driving factor there. We also had the same concern about too much commercial in wanting to not go from the single family to a commercial use, but a single family to a multi, to a commercial, and having that be a more smooth transition throughout. As far as the single family detached homes along the east, as -- as I mentioned previously, we are roughly the same scale, even though we are two lots, we are two smaller lots in an R-15 zoning of, you know, a little over 2,000 square foot lots. So, from a massing perspective we are not a massive intrusion. That's very different in like kind to what's existing -- existing on the eastern homes. We do show trees on the landscape plan and we can certainly add more if -- if that -- they are a little difficult to see here, but you can certainly see on the east there several trees. If we positioned at those patio decks for the level two to provide as best screening as we could -- again, back to the HOA comment that could be incorporated there to ensure that those are maintained and in proper order. The flood zone -- we are confident that we are not -- we don't have concerns over building this project with the -- in the floodplain. It will be lifted to one foot above the base flood elevation and, you know, certainly we are doing our homework to make sure that we don't build something that is going to be an issue in the -- in the future. So, we are confident that that's not going to be an issue. The Kellogg Drain and the piping, that was sized and we spent a significant amount of time to -- to make sure and get that right of sizing it appropriately to accommodate what was already there, as well as oversizing it to make sure we can handle any of the water shed that comes through

there and it's going to be cleaner. I mean right now it's open air, anything can go in there and -- but by piping it underground that's going to provide a cleaner way for that water to pass downstream to the Five Mile Creek and we are path -- we are wrapping it to its current discharge point, so we are not interrupting how it discharges into the Five Mile Drain. And as far as the Creason Creek is concerned and, you know, keeping that clean, it's difficult to see on this -- this image, but we do show a fence, the -- so, Nampa-Meridian Irrigation District wants us to fence that off. We are doing that by just extending the dog fence across, so it will -- it will seem more integrated and that solves both of those issues that we worked out with them. So, that's how we are addressing that issue and their liability concerns. So, as you can see there has been -- there is a lot of moving parts on this project. There are no simple clean cut answers. We have done our best attempt to design something that -- that we can stand behind, that we think the community would enjoy, that the City of Meridian would -- would benefit from and, you know, we would like to see more communities like this get built, even though I think one of the reasons they don't is because it's difficult to do a higher level design to go through two years of design and -- and deal with several constraints. Again, this site sat there for a long time. I know other people that had it under contract and, then, they let it go and it was because they just didn't want to tackle the issues and, ultimately, we showed up and we asked the landowner, hey, we will take a look at this and take a run at it and so that's how we got to this point here today. So, it was kind of taking a risk to solve a problem that wasn't being solved and that will bring more housing and -- and a good community for the City of Meridian. So, stand for any questions.

Simison: Thank you, Andrew.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Wheeler, just a question. As you develop this and -- and work through designs and whatnot, was there any thought of where the multi-family is of putting townhomes in there and, then, moving multi-family to where the townhome is currently located?

Wheeler: Yeah. We -- we actually went through several different -- or first it started as a three-story walk-up plan, which we got rejected real quick. Ultimately, it was -- as I think Joe mentioned, you know, putting the highest density uses along the -- the arterial streets and that -- that kind of just became the driver at that point, you know, to -- to try to get it away as far as possible from the -- the townhomes -- or the existing townhomes on the east and -- and, then, as having to route that public road in and trying to -- how do we delineate the -- you know, the different uses and the different sites, it's sort of -- the Tetris of it started kind of wanted to -- to go in this direction. But we -- we definitely looked at a lot of different uses of where to put the multi-family. And, then, that's -- to kind of -- you know, the Building B, while it's a single-family townhome, that's the one on the west towards Linder, it has a multi-family feeling, you know, a scale and so even though it is a townhome it kind of -- and, again, it's on that arterial street and -- and that more higher

density use.

Hoaglun: Mr. Mayor, follow up.

Simison: Councilman Hoaglun.

Hoaglun: So, if multi-family -- if this goes through and multi-family remains there, would you be willing to do some enhanced landscaping, maybe a little taller trees to buffer from that multi-family to the house to the east?

Wheeler: Certainly. Yeah. You know, I think that the plaza became -- we kind of settled on providing an additional amenity there when we lost those units. We could -- we are very flexible on what to look at there. I mean if we want to reduce that plaza a little bit or maybe it becomes a smaller seating area and it is more of a landscaped area, rather than a hardscape plaza and right now it's, you know, third landscape, two-thirds plaza. Maybe that flip-flops and -- yeah, we are certainly open to figuring something out there.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I was just thinking just taller trees, you know, that kind of give more screening. And -- and to that effect, for the rest of the single family homes there on the east border, I noticed you talked about the elevation and how those are a little bit lower than -- than the homes that are already existing and, then, I noticed in your -- your -- your drawings the fence was on your side, which had a six foot fence, but from their property that's only going to be a four foot fence, three foot fence, and I -- I didn't -- I thought you mentioned something. Do they have fencing in their yards currently right now?

Wheeler: They do. Yeah. And more than likely we would build -- build our own fence. That detail has yet to be determined there. You can see here their vinyl fence on that side and you can see on the left there, that's also a vinyl fence and so that's on the high side of that three foot. So, from a line of sight, right, I mean that's even going to help them more by having that up there to -- yeah, I can see your point of concern. But us not being in control of the maintenance of that fence or -- you know. So, we could build our own or, you know, have theirs. Either way.

Hoaglun: Mr. Mayor, just a --

Simison: Councilman Hoaglun.

Hoaglun: On that thought -- yeah, I thought -- I didn't know if you were going to build a new fence and just put it on yours and tear theirs down, but if they have their fence and it's at six foot, then, that takes care of that issue, so --

Wheeler: Yeah.

Simison: Since we have an odd number of Council Members and I'm not going to factor in tonight's equation one way or the other, I at least want to make a comment. You know, I was on the -- part of the group that went through the comp plan and -- and looked at these issues. Looking at the -- the development before us, I got to ask the question, do we -- is our comp plan right for this corner? You know, the access issues, the limitations that are there -- a similar conversation came up in another application where we -- we are routing commercial by residential. Maybe that's a personal pet peeve, you know, in some regards where that can become the only de facto way, but is this commercial -- is this corner zoned appropriately with the access issues that are there, the connections to adjacent residential and regardless of whether or not there is a policy at ACHD that says that that should remain a full access on Linder, I think we know good well that it's not going to function that way, even if it is allowed to be left that way. It's going -- the safety aspects I think will someday over -- make it not that way, even if it's allowed to remain open. So, I don't want to ask you to speak against your -- your -- your client's self-interest, but if you had your design -- your desire would you be doing a mixed-use commercial on this eight acres with all the challenges that you have or would you prefer to do something residential only in this area?

Wheeler: I don't know if residential only would be the right choice. I mean a hard corner on two arterial streets like that and pushing residential up to it. I think it is appropriate to have a higher density that filters down to a lower density. Now, how -- however far that distance happens or -- or short -- I know I personally wouldn't want to live in a -- in a -- up on that corner, you know, in -- as a townhome or any use like that. You know, we initially had higher density in general from apartments and that type of concept, which, again, the city shot down pretty quick, not wanting more apartments. The kind of apartment fatigue was the exact words that were used. So, I do think it's appropriate to have a higher density use on that corner and the adjacent corner and, then, you -- I mean it's a tough question, because you got to transition, too, you know, so how do you have the density, but, then, not have a single family home on the corner to go to one extreme and then -- you know, I don't have a direct answer. I think if it was a different day, different world, different site I mean maybe I could, you know, spend more time to think about it, but -- and I have spent two years thinking on this site, so I have a hard time maybe detaching my mind from -- from that.

Simison: And I understand that. You were asked to design to a certain level because our code says you have to do certain things and I guess what I'm -- the question I'm trying to get around to is just because our code says it, does that mean that we are making the right assumptions for this property and I -- I -- again, in my mind I'm sitting here just like going through my -- my head about other hard corners that are two major arterials, where we have commercial -- where we only have residential, you know, Franklin and Linder, again, you have got an issue with a -- a drain or whatever you want to call it there. You go to Cloverdale and Overland, again, you have got a canal issue, which is cutting off those corners, which is making the access and it's pushing it back. So, I'm just asking the question. Just because our comp plan says it's right, does that mean this development is right or the comp plan is wrong and it should look differently and I think that -- that's just something I'm throwing out there, because from my -- from where I sit I

-- I say access to this area with the commercial, with the roads, I go to -- I personally question it with what we are being -- how we are being asked to access this location with commercial on one that is because it's across from another facility it shouldn't have that access fully and, then, we would be, essentially, putting the right-in, right-outs only in this facility and is that appropriate for any commercial. I don't know.

Wheeler: Yeah. And I would say that, you know, a higher density residential use would be my first preference if -- if the commercial were to go away. You know, versus a townhome -- extension of the townhomes or something of that -- that nature.

Simison: Council, any further questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. We recently have had conversations with applicants who have come and said that, you know, properties have been sitting for a while and I'm assuming this location it's mostly been a floodplain issue more than a desirability issue for commercial space, but we have had a few areas in the -- in this -- on Ustick between Ten Mile and Linder where there has been commercial in the comp plan for many many years and nothing has gotten built there and out of, I assume, lack of demand. So, have you -- I don't know what your team has done as far as generating interest in the commercial, but is there concern that you won't be able to fill that commercial space, because of traffic flow or desirability or -- and I just -- I -- I'm so blown away as fast as we are growing that that would be a question that we have to ask, but if, you know, the patterns have really changed how people shop and where and when and -- and whatnot with COVID, so maybe -- you know, maybe we are looking at how -- we need to look at how things are done differently.

Wheeler: Yeah. Thanks for the question. I think that -- it kind of goes back to when we were having the discussion on multi-family versus commercial on that corner and how much commercial is too much commercial and enough multi-family to support the commercial. You know, that was a concern of will we build too much commercial if we do a commercial along that whole strip where the multi-family site is now and, you know, mitigating that concern by the -- the lower square footage of the two different 12,000 square foot total, but in two different buildings, which are really two different uses. I mean you have the small, you know, mom and pop shop commercial, I will call it, against the hard -- the hardscape, you know, plaza, which is a much different commercial user than the -- the larger one. So, we have a bit of diversity in the marketplace and that larger one with the drive-through with the ability to, you know, break it up into two or three different commercial properties, you know, I think through those measures we have mitigated our concern on being able to build that commercial space.

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

Wheeler: Thank you.

Simison: Thank you very much.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: We are going to do some discussion before closing the public hearing. I will give you my thoughts on -- on the application. So, I start with the comp plan. I respect the process we went through to -- to gather the input, to create it, and, then, the discipline and adherence to it, understanding it's not anything more than a very useful guide, it's not a mandatory directive, but I think the mixed-use community application remains sound at this, even though it has made it maybe more challenging to try to find something that can be successful in this location. So, with the mixed use community in -- in prep for the hearing and in hearing what we did in tonight's presentation and public input, that blend of the C-C and the R-15 zoning remains appropriate in my mind. I think the -- the way that the applicant has tried to address both and incorporate both into this fits what mixed use community tries to encourage. I share some of the concerns of Council Members that the commercial might take some time. I would probably respond to that, at least from my perspective, that I'm patient. I think in time the commercial will be there. I think it will be last and -- and I would discourage a rezone application from anybody who tries for that corner, because as we try to look at what is the best long-term solution there are short-term bumps along the road where a portion of a project might not develop as fast as others. But I do -- I believe that that commercial component is important and will be successful a long time -- long term. So, for those reasons I thought that the application as presented was appropriate. I appreciate the adjustments made and it is a very challenging parcel to make work for anybody, as history has shown. I thought the open space and the pedestrian connectivity was also something that will make this very successful and a very popular project. So, again, I guess the only concern I had was -- maybe not a concern, but an acknowledgement is that the commercial will take some time. I trust that integration between the property to the east and this has been addressed. I appreciate Councilman Hoaglun's comments with regards to landscaping. Those details matter and the applicant's commitment to that helps ease that concern somewhat. So, for those reasons I'm supportive of the applications as presented. I didn't see any outstanding issues that remained unaddressed. Just appreciate the creative solution on a difficult parcel.

Dodson: Mr. Mayor? Thank you.

Simison: Yes, Joe.

Dodson: I did just want to comment real quick, because it kind of come up along the east boundary and landscaping. Those are going to be single family lots and if Council goes the route of what some of the residents have asked about including landscaping along that boundary, if it's not in a common lot it's incredibly difficult for staff to maintain that and

to enforce it. So, we have really just tried not to do that, because we had this in Poiema, I believe, the same thing of how do you enforce trees on private property. As soon as the owner comes in they can cut it down and we have no idea and that's what it is. So, I just wanted to reiterate that issue, if that is something that Council had previously been thinking about.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor, Joe, I -- when I mentioned the enhanced landscaping was only for the multi-family --

Dodson: The plaza.

Hoaglund: -- that was in the plaza. That was the only location I was --

Dodson: Right.

Hoaglund: -- interested in doing -- nowhere else along that, because, yeah, obviously, that's very difficult to do, so -- and Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I will just -- just weigh in here. It's one of those things when you get the packet and you open it up and see what's before you and I -- I was like you, a little bit surprised that there is commercial here. How in the world is that going to work. The access to me is just difficult, but, then, I think Councilman Borton raised an important point about we -- we follow the process. This is what we have here. We have to be patient with it, give it time, make it work -- I think the applicant did a very good job in designing the site with the constraints they had to work with and, then, making sure that modifications were made. They heard from the residents -- you know, not everyone's happy, you never get a hundred percent, but making changes, losing that unit off the end to provide more space, doing some things that I think through the walkability and -- and making it a desirable space, a place where people want to live and have a community and that's very important as we -- as we grow. As pointed out, this is not the same Meridian we grew up in, so -- but having that sense of community in that area that you live and -- and -- and, hopefully, there will be some -- some commercial down the road and -- and have it in that place, but it -- I think it will be difficult, just because of the access points for -- for commercial. But -- but to stay true to what we have and has been laid out and our goals, you know, people -- the times when developers come before us and they want to change the density and change the comp plan and people just scream and now we have it and what it's supposed to be and now they want to change it again. It's just -- it's just interesting for us to go through this process weekly to -- to see the different -- different back and forth and -- depending on what's -- what's being proposed, so I think overall it was -- it was well designed. So, I appreciate the work that went into it.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I -- the commercial is important to me. I'm glad to see there is commercial here. I think it's actually -- to me it's more neighborhood scaled commercial. It's not like a huge looming, you know, Walmart or something. I mean this, hopefully, the way it could evolve would be some uses that are complementary to the neighborhood and I like the integration. I appreciate the pedestrian oriented design. At first when I looked at this I really didn't think I would be supportive, but I appreciate all the changes that the applicant made after the Planning and Zoning meeting and I think the process has really worked in terms of improving this. I'm not loving the transition in the northeast corner against a single family home, but I think the enhanced landscaping will help and it doesn't look like that neighbor is directly looking out, you know, off the side of their house there, so I think I can live with it. I wouldn't want to turn down a project over that detail. Overall I'm supportive of it. I would echo the same comment, though, I -- at least I would be very -- very surprised if I would ever support a rezone of that commercial piece, just to put that out there as well. I think we need to wait and let that happen. However long it takes. It may take a while, but it will come and, hopefully, the right tenants that fit there will come as well. Yeah. I think overall I'm supportive of it. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Really want to -- to say thank you to the applicant for -- for sticking out all this time trying to figure this out. This is a really tough piece, the geography and the canals and it is -- it's a tough go. We have seen other properties like this sit for a really long time that are -- that are great usable spaces in our city because folks don't want to take them on and so we appreciate you going to all the hard work to try to figure this out and to listen to the public and to continue to keep working on a project until there is something that is really beneficial to Meridian. We know the incredible amount of work that it takes to get to here and, then, risk, you know, potentially not receiving approval. So, I am -- I -- I think the changes that were made from the Planning and Zoning Commission until now are excellent. Thank you so much for making all those considerations. It's pretty significant to lose an entire floor off of two buildings and to restructure everything that way. My -- my only outlying concern is just that there would be a better transition between the commercial and the residential on the south side of that commercial building and I don't know how we -- and perhaps that's a question for Joe. I don't know how we actually add that into a requirement as far as -- I mean it's very random to just say, hey, we want -- we want taller trees there. Like how do we -- how do we condition that? I'm not necessarily saying that we need 25 feet of landscaping considering the combination of the road and the landscaping that's there will be over 30 feet, but can you help us figure out how to -- to condition that appropriately?

Dodson: Council -- or Mr. Mayor?

Simison: Yes, Joe.

Dodson: Thank you. Council Woman Perreault, thank you. There is -- there is probably a number of ways. I -- I think a general, you know, additional day provision, just -- just state something to -- to the effect that the required buffer between the C-C and the R-15 zoning district should be at least X amount of feet with vegetation that touches at maturity. That we have a lot of that language in code already and we have utilized that kind of a provision previously. That in alignment with the drive aisle that's kind of proposed there from a planning perspective I think offers a sufficient buffer between and -- and, further, the -- the placement of that commercial building being where it is was partially driven by staff as well. We specifically told the applicant that, hey, we wanted that, frankly, a neighborhood serving use a little closer, so that people could walk. You know, you want to activate that plaza. You want to have a kid's birthday there while you are hanging out and getting ice cream, hopefully, or whatever. A burger and a beer and hang out. Whatever it might be. That's what the focus was there. So, I don't want to push it so far away or create such a barrier that it just completely walls it off and I know that's not your intention either, but, you know, noise, as well and just to -- again, you can also limit the hours of operation. Code does say because it's adjacent to residential it's going to be 6:00 a.m. to 11:00 p.m. So, it can't be 24 hours. If you want to limit it further that could be another avenue to, quote, unquote, buffer the uses that would go there. At least you could -- you could maybe make it specific to the -- the second site, you know, the -- the -- the building pad closest to the residential and limit the hours on that building alone. You do have flexibility in that DA provision.

Perreault: Mr. Mayor walked away. So, yes, I would like to -- I would like to limit that at least to 9:00 p.m. I think is appropriate for that area. But as far as the -- what I had in mind is it's just really densely landscaped -- more dense landscaping behind that building, whether it's more trees and trees -- trees of maturity at the time of planting, not like trees of maturity ten years from now. So, is there a way for us to condition that the trees need to be mature at the time of planting, like the height of the building and, then, you know, maybe -- maybe double the amount that would normally go in there or something to that effect? I just -- I -- I don't want to -- I don't want it to be separated completely, but I also want to respect the fact that, you know, the backside of commercial buildings can get kind of ugly and I don't want that to be a value issue for the folks that live there.

Dodson: Council Woman Perreault, those are great points and you -- you can -- again, we have some of that language in code, thankfully, already to have the vegetation that touches. You can say at planting, instead of maturity, a hundred percent and because the building -- to your very last point, because it faces residential, that has to meet pretty much all of our design standards for commercial. They don't get out of anything. So, it will not be an ugly building. They will have to do wall modulation, multiple field materials, multiple roof variations, all of that. It can't just be a box and it certainly won't be an ugly color.

Perreault: Thank you.

Dodson: Absolutely. I would just note -- sorry, Mr. Mayor. If Council agrees on 9:00 p.m., that's fine, I -- maybe that point might be up for discussion. I don't know if 9:00 -- it seems a little early, but I come from California, so, you know, 11:00 p.m. seems early most times, so, it -- it's frustrating when things close at 8:00 and 9:00 around here sometimes if you want to eat late, but it can happen.

Simison: So, Council, I'm going to make another pitch observation for your consideration that would require the applicant to come forward, but I'm really concerned about the left-hand out onto Linder. That goes through a left -- it's two lanes, plus a left-hand turn lane that you have to drive through the back end of it in order to make that turning movement and but for across the street it wouldn't be allowed under the guidelines. As we go into what type of commercial makes sense, we talk about the neighborhood feel of this. Are left-hand turn movements out of that are what we want to have? And I -- I'm -- again, I'm going through the city, I'm looking at our areas, I'm looking at our problem spots and, you know, those type of situations -- if we are setting up for the long-term success, do we want to set up the -- set up the expectations now for what that success should look like, instead of having a conversation in ten years, 15 years when there are too much traffic, because when Linder Road overpass goes in that becomes more of a thoroughfare -- a north-south, it's going to eventually be impacting something at some point in time and do we want commercial to know what the likely limitations are? As we said, that can change. Is it a limitation where -- that we would be willing to consider at this point in time, so we don't have unsafe turning movements out of that long term.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I think I'm picking up what you are laying down. That makes sense to me. I don't -- can we, as a Council, specify a right-out and specify that there is not a left turn? I feel like -- are we overstepping our role or do we have that ability?

Dodson: I'm sure Mr. Nary will comment as well, but I -- I don't know that we can dictate what goes in the median. But on-site, as we did with Gramercy, making the curb in the entrance or whatever to very much discourage people turning left, I have seen that and I think we would have that power to condition that as a DA provision or condition of approval.

Simison: And the developer has an opportunity to sign or not sign if that was a condition, if that was the case, but I think at least warrants the question is whether -- whatever success looks like long term, if ACHD starts -- in five years says, sorry, go away, what do we want this to be long term. I think that's really the question, the expectations. But the ramifications of that -- you are pushing more commercial traffic out through the residential side of the neighborhood potentially to go left. It may. May not. But just, again, looking at what the traffic implications are in this area that that access is a big issue in my opinion long term. Mr. Nary.

Nary: Mr. Mayor, Members of the Council, Joe is sounding just like an attorney. Yeah. He's correct, yeah, definitely we don't have a way to limit the access onto the road -- onto -- in Linder, but we can limit the access from the site out to the public right of way. The challenge is sometimes is how it gets constructed, how it gets used, how it gets enforced. It would appear likely, because of the current use on the west side of the roadway, they are unlikely to ever put candles to prevent the emergency services from being -- accessing onto Linder. So, there is unlikely to ever be any other impediment to turning into this site from going southbound on Linder. But definitely we can fashion in the development agreement restrictions on the access out of the property. So, we can put that in there.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: There is -- there is several other areas of our city that have this concern and I -- I personally don't think that it's going to be any worse than any of the others. So, I currently turn out of my neighborhood onto Ten Mile and it's like running the gauntlet every day. It's much much more dangerous than this is going to be and it's just directly south of a commercial building. So, I just -- I don't -- there is a lot of these -- and I don't know that we can regulate all of them and this reminds me of when you are coming out of the -- just to the north of here at the Winco exit, you are turning out of Winco and you turn left across this commercial and, then, there is a fire station right there and the fire station -- you know, that's not going to be ever blocked off, because of the fire station, but that -- that doesn't feel like an unsafe place to turn left and I kind of see this playing out as a similar feel to how that is all set up. So, I'm not in favor of that condition myself.

Simison: I think the difference here is that we have had some experiences even on Eagle Road recently where we have areas where the -- when the traffic gets backed up people start making turning movements that they can't see and this does have cueing back to an area and there is no -- not a center turn area where you are supposed to move into -- I mean you are not even really supposed to move into the center turn area to access the area, but you got to drive through a left-hand turn lane going the opposite direction to a certain extent to even turn into the next lane. Those are the types of things where you are almost going against traffic to make this turning action based on my look at the map. I mean even maybe if you don't want to do it, ask ACHD to move the turn lane closer to the intersection and not have the queuing lane so far back. But those are -- those are the issues and -- and they do exist all over the place. Locust Grove coming out in those areas right there by the -- just south of the Maverick there is a road there that turns over into two lanes and into a left-hand turn lane, eventually that's going to be a problem. Today not necessarily, but I'm just trying to look at long-term, not necessarily what's there today. Eventually the area you are talking about is also going to be a problem.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: So, if one of the conditions that's contemplated is that access onto Linder Road be designed on-site to ensure right-in, right-out only is what you are --

Simison: That would be my question. My contemplation to the applicant.

Borton: The applicant has been stoic without gesture, so that requires us to get your input if that is reasonable to consider, if it's fatally flawed from your perspective. How would you respond?

Wheeler: Yeah. Council -- Council Members, I think it will make it more difficult, you know, to make that commercial area more attractive, of course. Is it a no go? I -- it's hard to say, you know. But we would prefer it not to be and, then, to be able to turn left on there, I think that, you know, with the adjacent emergency use across the street that does limit at least any further congestion from another use, you know, intersection type of situation or a high traffic -- you know, if it was a Winco exiting and we are also exiting or something to that effect. So, I think there is a little bit of an alleviation there in the impacts of that left turn. I would recommend that we don't limit it to the right-in and that we go with a left turn south onto Linder.

Simison: Maybe one more thing. It also allows left-hand turn movements off of Linder into the project under the -- under the current if -- yeah. Maybe not. That's -- I think you could, but I'm -- without designing it -- but it's going to -- it's going to create a problem. It -- it -- it will in some regards create some real challenges. People stop on Linder to try -- because there is no left-hand turn lane to turn into this property at that location, because, again, there is a left-hand lane that goes -- extends to the end beyond where the turning movements begin. So, whether we do something here or ACHD does something on their end to alleviate that so there is a cueing space, left-hand turn movements in and out at this location will be a problem long term or short term when it starts getting built. But I will -- that's an impact on those guys over there, so -- if Christy was here from ACHD I would ask her and I thought that she was going to be on the call, but no one from ACHD is with us that I can tell.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. I live out there and use that Linder Road quite frequently. That is a very long lane. They plan to head for -- for that queuing, which really don't have that stacking in rush hour periods. I -- I would think for the short term they could -- they could shorten that to make a center turn lane for access in and out temporarily, but there will be that point in time where it's -- it's not going to work, even if -- with the center turn lane. But it is possible to do that at this point in time from my experience of living there. So -- you know. So, there -- there is a short-term solution. But, eventually, it -- it will not be a solution.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I'm going to attempt to make a motion, hoping that I have gathered everything that we are trying to incorporate here. So, I move that we approve --

Simison: Council Woman Perreault, the public hearing is still open, so --

Perreault: Oh. I thought we had closed it. I move that we close the public hearing.

Strader: Second.

Simison: I have a motion and a second to close the public hearing. 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.

Simison: Council Woman Perreault.

Perreault: Thank you. I move that we approve the application for Lennon Pointe Community, H-2021-0071, for the annexation and zoning, preliminary plat, and conditional use permit, with the following modifications: To add mature landscaping in the northeast corner between the Building A, which is the apartment complex, and to create more of a green space there and less -- less hardscape and, then, I would add that we would add plants that are maturity at -- excuse me -- that -- landscaping that's mature at planting between the commercial building on the -- the south side of the commercial area and the residential to the south. I believe that that's everything that we -- there was an outlier. If there is anything else, please, let me know.

Dodson: Mr. Mayor?

Simison: Can we wait for a second?

Borton: I will second for discussion.

Simison: I have a motion and a second. Joe.

Dodson: Thank you, Mr. Mayor. Sorry. I -- in no way do I want to belabor this. Trust me. But the -- I was thinking about the buffer thing between the C-C and the R-15 again. Because that's probably going to come in very late, I think the DA provision should probably include a timing of that buffer being installed with the residential, so it has time to mature as well and not at the time of the commercial building being built, because that's usually when it goes in. So, I don't know if Council Woman Perreault and the Council agree with that and want to make that modification. Or I could be completely out of my mind.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I like that idea. I know that that's probably kind of unconventional, because the applicant usually doesn't start doing the landscaping piece until that -- you know, that commercial area goes in. I would be -- I guess the conversation could be, you know, we did -- we didn't mention putting mature landscaping on the south side in the berms -- or, excuse me, in the -- in the MEWs that are between the sidewalk and the -- the north side of the first home and that could be an area where they add more mature landscaping to buffer that -- I -- I would be in favor of -- of adding that landscaping prior to the commercial building being built. But I don't know if -- I don't know what's typical. Is that -- is that a condition that's happened before, Joe?

Dodson: I have a good memory, but I don't know if it's that good with this. I wouldn't say that that's typical, but -- well, we usually require the street buffers regardless of what's adjacent to it. So, I guess that's -- that's -- that could be precedent there. I know that could be a bad word, but that could give us some basis there. But because of the discussion that we have had I -- and what Council has had, I believe it makes sense to include that there, rather than wait for the commercial. But I guess at the same time if the commercial isn't there, the -- the issue isn't there. So, I can see it both ways. I just wanted to throw that out in case Council wanted to give those trees time to mature.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Joe, what is -- what is considered maturity at planting? Like is there a height -- what's considered a mature tree? I mean it just totally depends on what they put in; right? So, maturity of planting could be anything -- I don't know -- like how technical do we get on this? I -- I think that, you know, they are likely not going to implement any of the parking infrastructure or the curbing or anything that will require landscaping in that area around the 3,000 square foot building until that building's ready to be built; correct?

Dodson: More than likely, yes.

Perreault: Without just the space -- so, that what -- they are not going to bring in landscaping and add the curbing in and -- and everything just to have some trees there to buffer something that doesn't exist yet, so it sounds -- I think -- I think it just needs to stay with the trees -- when that's developed the trees are mature, instead of being, you know, a one foot shrub, so -- however that needs to be worded in the DA.

Dodson: Perfect. I got it. Sorry to convolute that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just for discussion. So, I wouldn't be able to support the motion, because I am now convinced that we need a right-in, right-out off of Linder and I'm really concerned that if we are letting people make the left-hand turn we are just kicking the can down the road. So, I feel -- you know, Mayor Simison won me over actually with that argument. I think that's a true issue. I actually think limiting it to right-in, right-out will make it more likely that when we do get the commercial users that there will be more neighborhood scale users, so I think that fits with what is intended here. So, I -- I would not support the current motion without that condition.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Personally I think that's going to cause issues getting commercial users to come in. I -- I think that's going to delay I -- think it's going to create a desirability problem and I don't -- I don't love that element either. They are just so many -- there is so many other -- I'm not saying that -- that we want it to be a dangerous area, but this -- this location to me is not even remotely the most dangerous left turn that could can be made. I mean I -- I -- there is so many dangerous left turns that exist right now that I -- I just don't -- there is a center turn lane right now on Linder Road and there is going to be stacking on the right turn lane heading north, but I -- I actually drive that exact same scenario multiple times a day and I get -- and there is a -- you know, when you are entering into a subdivision and they put a big square white box in front of the entrance, right, so that you can see this is an entrance to a residential area. That protects people from turning left from -- if -- if somebody is turning south and they get in the left-turn lane to turn in there, they are going to have a protected box that says don't park in this space, somebody is turning in here, because it's residential. There is -- there is features that are put on the road to protect that. So, I -- and there is already a left turn lane that exists there on Linder. It's four lanes already with left turn. I don't -- I'm not -- I guess I'm not understanding the problem.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Call for the question.

Simison: The question has been called. Clerk will call the roll.

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

Simison: Motion fails. One aye. Four nays.

MOTION FAILED: ONE AYE. FOUR NAYS. ONE ABSENT.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I will -- I will give it a shot. So, I hope -- maybe for discussion. I don't know how much discussion. After considering all staff, applicant and public testimony, I move to approve File No. H-2021-0071 as presented in the staff report for today's hearing date with the following modifications: Behind the commercial a requirement that at the time the commercial is completed that there be mature planting that touches at maturity, that there be mature planting in the northwest corner of the site next to Building A. Mature trees. Excuse me. And with the condition that the access off of Linder Road be constructed in a way to encourage right-in, right-out only. I apologize. I mean the northeast corner.

Borton: Second.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I just want to say that I -- I am in support of this project and just -- with just the one element of not being in agreement with the restricting the left turn and so I will -- I will vote no on that motion, but I just want to make it clear to the applicant that I am in favor of this project, with the exception of that one element.

Simison: Any further discussion?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just as -- as part of that motion, Mr. Nary, is that the obligation to design the Linder Road access to be right-in, right-out on the property, is that a DA condition or does that need to be specified?

Nary: Yes, sir. That's what I took it to be.

Borton: Okay. All right. Thanks.

Simison: Seeing no further discussion, Clerk will call the roll.

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

Simison: Three ayes. Two nays. And the item is agreed to.

MOTION CARRIED: THREE AYES. TWO NAYS. ONE ABSENT.

Simison: Thank you very much and best of luck, Joe, getting all that squared away.

Dodson: I got it.

DEPARTMENT / COMMISSION REPORTS [Action Item]

5. Police Department: Fiscal Year 2022 Net-Zero Budget Amendment in the Amount of \$5,000.00 for Central District Health Partnership for Success Mini Grant

Simison: Next item up is Item 5, which is under Department/Commission Reports, the Police Department fiscal year 2022 net zero budget amendment in the amount of 5,000 dollars. Turn this over to Lieutenant Brown.

Brown: Mr. Mayor and City Council Members, I request that -- or request your approval for a partnership for a partnership for success mini grant that was awarded by the Central District Health to provide drug-free school zone signs to all 58 West Ada School District campuses. These signs are to replace the previous signs with updated verbiage at West Ada School District's request. The administration requests the addition of the word vape, because there have been multiple occasions where parents have been asked to stop vaping on campus and that language is not currently on those signs. With that I will stand for any questions. Thank you.

Simison: Council, any questions?

Hoaglund: Lieutenant Brown? Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Will these signs be placed only at right-in, right-out locations?

Brown: I don't know where the designations will be placed, Councilman, but they will be frequent throughout the campuses.

Bernt: Got Jerry Seinfeld in the house.

Simison: Without any further comic relief, is there a motion?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we approve fiscal year 2022 net zero budget amendment in the amount of 5,000 dollars for Central District Health partnership for success mini grant that was just presented to us by Lieutenant Brown.

Strader: 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, absent; Bernt, yea; Perreault, yea; Hoaglun, yea; Strader, yea.

Simison: All ayes. Motion carries.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

6. Parks and Recreation Department: Meridian Parks and Recreation Master Plan Update Findings Summary

Simison: Council, we are good to continue going? All right. Then, with that we will move onto Item 6, which is the Parks and Recreation Department. The Meridian Parks and Recreation master plan update finding summary and turn this over to Mr. Siddoway.

Siddoway: Thank you, Mr. Mayor, Members of the Council. This is meant to be just a brief update and status report for you. As you know we are working on the master plan update. Art Thatcher was before you this fall when we were kicking off the -- the project. He kind of laid out the -- the sequence of events that would be happening. We rolled straight into a major public involvement activity, along with a variety of stakeholder focus groups and interviews with each of you and our Parks and Rec commissioners and others. So, I believe you are familiar with that. We have also had the survey out and Art -- Art is coming back this week to do a big presentation tomorrow night and he is going to give you more of those details, so I'm going to turn it over to Art. But I just wanted to introduce Art and just say that tonight is our commitment to come before you with regular touch points throughout this process to keep you informed of -- of where we are and what the next steps are. So, with that I'm going to turn this over to Art Thatcher.

Thatcher: Thank you, Steve. Mr. Mayor, Members of the Council, thank you for allowing me a few minutes to come and meet with you. I -- I could put the 68 slide show for tomorrow up and we could go through that -- sorry. I am here tonight to give you an update on the -- on the master plan and so we are in the -- the findings and visioning stage. This is kind of the -- the four stages of the master plan. So, we are -- we are back to do the -- the findings, to go over the results of the survey, to kind of touch base again on the -- on our public engagement, look at those recurring themes and, then, begin to develop recommendations and actions for the master plan. And so as you can see all of those that are in kind of the -- the orange are those different tasks that we have completed. We are down kind of in the community center feasibility, the cost recovery, and the findings

presentation stages. We are here this week to do the -- the findings presentation and so as you remember we were here in November and -- and did our public engagement. We held six focus groups for 39 participants. We interviewed ten elected officials, stakeholders. We did a swap -- workshop with the staff and did interviews with the staff. We also did a briefing to -- to the Commission and, then, toured all the parks and facilities and, then, held an open forum and we had 18 people attend that in a -- both in -- in person and virtually. And so we really did asked about strengths, weaknesses, opportunities, what new programs, facilities you would like to see and so just kind of a recap from the focus groups, the strengths of the department, the staff, the leadership, that they are approachable, the diversity of offerings, location of your parks and they are well planned, they are -- they are bikeable, they are for everyone and, then, your partnerships were some of those -- those top things that -- strengths that were identified by -- by the focus group participants. We also asked about areas of improvement and parking was the -- the one that came up the most, along with communication, and I can tell you that with all the communities that I work with around the country, those areas of improvement, communication and parking are always in the top three and -- and so it's -- it's not unreasonable to see those. The need for more athletic fields, diamond -- specifically diamond fields for youth and, then, a greater need for more open space and -- and more park space were some of those other areas for improvement. So, we asked about priorities of everything that we talked about, what would this -- what would your priorities be for the focus groups and so connectivity was the number one. An indoor facility. Rectangle fields to support demand. Land acquisition. And, then, managing growth were those top five that came out of the -- of the focus groups for those priorities. So, from there we -- we took that information and we took the -- the information that we got from our leadership interviews and we developed a -- a survey and so we did our needs assessment survey. We mailed that to 3,500 homes, 3,444 of them were delivered and so we got a return of 3,200 of the invitation surveys and, then, another 378 of the open links. So, a total return of 690 and giving us that five percent plus or minus margin of error and so we asked about needs for future facilities. One of the things about -- Greenplay did the 2015 master plan. We also did the survey and the same survey firm did both, so we were able to do some comparisons and so we asked about future needs. You can see that a community recreation center was the top need in -- in 2021. An indoor aquatic facility came in second. A field house gymnasium space. A performing arts center and the ice rink were the -- were the top out of the -- out of a list of ten facilities that we -- that we asked about priorities and you can see in 2015 those were the same top five and -- and, really, just the indoor aquatic facility and the community center kind of flipped from -- from 2015 to 2021. So, that same need is there within the community. We also asked about outdoor facilities. Future needs. Again, kind of looking at that comparison. Parks and pathways, improvements to park amenities, shade structures, playgrounds, lights on athletic fields, again, were those top five. You can see they were very similar to the 2015 and -- and what was -- what kind of dropped in from -- from 15 to 21 was the public art in parks and exercise stations along trails and lost a little bit of traction, but, really, only about two-tenths of a percent. So, we also asked about communication, because communication was one of the things that -- that came out of the -- out of the needs assessment -- out of the focus groups and, again, we asked about what are the best ways that -- that we can reach you and so e-mails from the city, social media, the

activity guide and -- and the website -- the city's website were those really top four and we see that very much within -- again around the country, that there is really a -- kind of a mixed method. There is not one method that -- that does the best. We do see that the activity guides finish in that top ten percent or so on -- in these, because what people like is they like to get them, they go through it and they can circle what they want to do, but, then, they want to turn around and they want to be able to register online for their programs and do those things. So, these are -- these are very -- very common methods. So, we look at those recurring themes and so trails, pathways, connectivity, the need for a community center, improved park amenities, improving the park amenities, maintaining what you currently have, making sure that you are taking care of your current facilities, your current amenities before you start to build a lot of new. Shade structures in parks. Land acquisition. Keeping up with your rapid growth. Lighted athletic fields. Space for performing arts and an indoor aquatics facility. Really those -- those are recurring themes that we -- that we came through all of those data points. And so Dave Petersen, who is with me, does our inventory and our level of service analysis and so he went and visited all the parks, looked at all the amenities and -- and these were some of the -- kind of his observations from the inventory site visits. The parks are very consistent across the board. They are very well maintained. They are very high standard. Impressively your restrooms are probably the cleanest of any system that we -- that we use. So, it speaks well to your maintenance. They are -- you know, most of the parks do have public art and that it's very well received. Additional bike repair stations have been added and your turf conditions are in excellent shape and there seems to be a really high priority to plant trees in many of the parks and so we -- we are taking all that information and, again, we will be doing a presentation to the public tomorrow, getting their feedback, getting them to validate the things that we have heard. We have got a lot more of the -- kind of the survey results that we will go over with them -- Dave will go over a lot of the heat maps for walkability and accessibility to recreation facilities during that and then -- and then -- and, then, on Thursday we will be working with the staff to really look at -- we -- we do this visioning workshop where we -- we look at the recurring themes and, then, the data points where we saw them and, then, begin to develop kind of high level recommendations to meet those and, then, as a project team we will begin to look at those recommendations and actions to meet those, like we did in the -- in the previous master plan. In addition to the master planning process on March 30th we have an open house and a public meeting with the next step for the community center feasibility study and, then, in -- in April we will be doing the public workshops and the sorting for -- for the cost recovery portion of this project and so, again, our next step is this draft recommendations beginning to really kind of hone in on the recommendations and actions for the master plan. So, I'm happy to answer any questions. I know it's been a long night for you.

Simison: Thank you, Art. Council, questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you very much, Art. Could you go back to the slides to talk about the

priorities. I just want to get some understanding of a couple of those.

Thatcher: The survey priorities or the --

Perreault: Keep going. One more. There you go. So, when it says areas of improvement, communication, does that mean communication between the city and the public or communication -- I'm not like --

Thatcher: Yes.

Perreault: Can you help me quantify that?

Thatcher: Sure. It's the -- the public knowing about what -- what programs are going on, communication with the public, information being given out. Your marketing. Your communication. Those -- those are the things that -- that they were talking about.

Perreault: Can you share what the -- what they thought was lacking, because I mean it's published in like so many different ways.

Thatcher: Yes. Yes, ma'am, it is. And -- and as I said, it -- it's common across the country and I mean you can -- you can invest millions of dollars into -- into marketing and -- and citizens will tell you, well, I didn't know about that. I didn't hear about that. I -- and -- and you have put it in all the social media areas. You can even walk to their door and put a flyer in their hand and the next day they will tell you they didn't know about it. It's not uncommon and it's not something that we get upset about, but I mean it is -- I -- I know Shelley was -- was very taken aback when -- when she saw this is that the second highest kind of area of improvement.

Perreault: Can you go to the next slide? I just have one more question on the next slide. So, the -- the land acquisition that -- that means like the city looking for additional purchase opportunities for more parks.

Thatcher: Yes, ma'am.

Perreault: Or for fields or -- is that what that means?

Thatcher: Yes. Yes. It's continuing to -- to acquire land as development, so staying ahead of the development, so that you are not losing ground on your provision of parks for -- for the community.

Perreault: And, then, what does inclusiveness mean, third from the bottom?

Thatcher: Yes. Being inclusive, making sure that you are programming for everyone, both ethnically, age wise, sports wise, making sure that there is a balance between active and passive recreation. Those are the -- kind of that inclusivity piece.

Perreault: Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Art, if you could advance just a couple of slides. I had a question about something where they are showing the three point -- in 2015 versus the 2021 survey and I found it interesting, the field house gymnasium space from the 2015 survey to the 2021 survey, because the city acquired HomeCourt and that was a -- a big move and I just found it interesting that -- and it could be because with more growth, more people, and there is not enough room. So, that's just kind of interesting where we did make an acquisition and improve it and, yet, there is still more need than those expressed before.

Thatcher: And some of that may also be a part of the communication piece where the -- the community that -- that saw that as a private facility is really not aware that -- that you have taken it over and it's now a public facility and, then, it's open to the public and it goes to that marketing, that communication piece.

Simison: So, did I just hear you blame Shelley again? Sorry, Shelley.

Thatcher: She's going to come get me in the morning I can tell.

Simison: Council, any additional questions before you all tune in tomorrow night? Thank you, Art.

Thatcher: Thank you all very much. Have a good evening.

ORDINANCES [Action Item]

- 7. Ordinance No. 22-1970: An Ordinance (Woodcrest Townhomes H-2021-0015 - Rezone) for Rezone of a Parcel of Land Located in the Southwest ¼ of the Southeast ¼ of Section 5, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, and Also Being a Portion of Lot 4, Block 1 of Mallane Subdivision, as Shown in Book 87 of Plats on Pages 9881 through 9883, Records of Ada County, Idaho; Establishing and Determining the Land Use Zoning Classification of 2.10 Acres of Land from L-O (Limited Office) Zoning District to R-15 (Medium-High Density 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: You, too. Council, that moves us on to Item 7 this evening, which is Ordinance

No. 22-1970. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. An ordinance related to Woodcrest Townhomes, H-2021-0015, for rezone -- for rezone of a parcel of land located in the Southwest ¼ of the Southeast ¼ of Section 5, Township 3 North, Range 1 East, Boise meridian, Ada county, Idaho, and also being a portion of Lot 4, Block 1 of, Mallane Subdivision, as shown in Book 87 of Plats on Pages 9881 through 9883, Records of Ada county, Idaho; establishing and determining the land use zoning classification of 2.10 acres of land from L-O (Limited Office) Zoning District to R-15 (Medium-High Density 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: Thank you. Council, you have heard this ordinance read by title. Is there anybody that would like it read in its entirety? Ralph says no. Then do I have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 22-1970, with a suspension of rules.

Hoaglun: Second in the motion.

Simison: I have a motion and a second to approve Ordinance No. 22-1970 under suspension of the rules. Is there any discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Simison: Council, anything under future meeting topics?

Johnson: Mr. Mayor, there is one more.

- 8. Ordinance No. 22-1971: An Ordinance (Apex East Subdivision - H-2021-0086 Rezone) for Rezone of a Parcel of Land Being a Portion of Government Lot 2 and a Portion of the Southwest ¼ of the Northeast ¼ of Section 5, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho; Establishing and Determining the Land Use Zoning Classification of 32.21 Acres of Land from R-4 (Medium Low Density Residential) Zoning District to R-8 (Medium Density 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: Oh, I'm sorry. I apologize. The ordinance -- next item up is No. 8, which is Ordinance No. 22-1971. Ask the Clerk to read the ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance related to Apex East Subdivision, H-2021-0086 rezone -- for rezone of a parcel of land being a portion of Government Lot 2 and a portion of the Southwest ¼ of the Northeast ¼ of Section 5, Township 2 North, Range 1 East, Boise meridian, Ada county, Idaho; establishing and determining the land use zoning classification of 32.21 acres of land from R-4 (Medium Low Density Residential) Zoning District to R-8 (Medium Density 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: Thank you. Council, you have heard this ordinance read by title. Is there anybody that would like it right 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. 22-1971 with the suspension of rules.

Hoaglund: Second the motion.

Simison: I have a motion and a second to approve Ordinance No. 22-1971 under suspension of the rules. Is there any discussion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion carries and the ordinance 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?

Hoaglund: Mr. Mayor, I move we adjourn.

Simison: 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 9:16 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

_____/_____/_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK