

A Meeting of the Meridian City Council was called to order at 6:02 p.m., Tuesday, May 4, 2021, by President Treg Bernt.

Members Present: Joe Borton, Luke Cavener, Treg Bernt, Brad Hoaglund and Liz Strader.

Members Absent: Robert Simison and Jessica Perreault.

Also present: Chris Johnson, Bill Nary, Sonya Allen, Audrey Belnap, Brian Caldwell, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

☒ Liz Strader	☒ Joe Borton
☒ Brad Hoaglund	☒ Treg Bernt
☐ Jessica Perreault	☒ Luke Cavener
☐ Mayor Robert E. Simison	

Bernt: Welcome to tonight's City Council regular meeting. It is -- for the record it's 6:02. Today is Tuesday, May 4th. We will start off by a roll call -- doing roll call attendance.

PLEDGE OF ALLEGIANCE

Bernt: Next on the agenda is the Pledge of Allegiance.

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Bernt: Next on the agenda is our community invocation by Pastor Vinnie Hanke. Is it Hanke?

Hanke: Yes, sir.

Bernt: Perfect. Welcome. Thank you.

Hanke: City Council Members, thanks for the opportunity to come and pray for you and with you tonight. Do join me in a word of prayer. God, we thank you for the privilege to meet together, to exercise our freedoms and leadership in the city that you have given to us to live in. We thank you for Meridian. We thank you for its citizens, for its teachers, for its first responders, and for its leaders. And, God, we ask that you might bless them as they serve, as you might protect their families as they give up time from them as they lead. You might grant them wisdom, discernment and insight as we consider the future of our great city together. We asked for spirit of harmony and unity among its citizens, that we might love and serve our neighbors as you have loved and served us through the

gospel of Jesus Christ. We ask these things through his name. Amen. God bless you guys. Thank you.

ADOPTION OF AGENDA

Bernt: Thank you, Pastor. Appreciate you being here. All right. Next item on the agenda is adoption of the agenda.

Hoaglund: Mr. President?

Bernt: Mr. Hoaglund.

Hoaglund: We would like to add one item to our agenda for this evening. It would follow the adoption of the agenda, after Council approval, and that is we would like to take a moment of remembrance for Lisa Holland. For those that don't know her she's a Meridian resident and was our planning -- one of our Planning and Zoning Commissioners who, unfortunately, and tragically lost her life Sunday afternoon. So, like to add that to the agenda. So, with that, Mr. Mayor, I would move adoption of the agenda as amended.

Borton: Second.

Bernt: I have a motion to adopt the agenda as amended and a second. All those in favor say -- by saying aye. Nay? Okay. Adoption as amended.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

RECOGNITION AND REMEMBRANCE OF LISA HOLLAND

Bernt: All right. We will -- we will start with -- if we could just take a couple of seconds and participate however you would like. We will take a couple of seconds to remember Lisa Holland. Thank you. I would also like to do a point of privilege at the moment and to allow those on Council and myself to just -- if they would like to share some thoughts about -- about Lisa. So, I will turn the time over to Council if you wish.

Strader: Mr. President?

Bernt: Ms. Strader.

Strader: As everyone could see from the outpouring of support in the community and the kind words being said about her, that Lisa was a very special person to many people and a leader for our community and a wonderful friend to many and a great mom and wife and daughter and sister and so just want to say my condolences to her family and to everybody affected by this and that she was a wonderful person and we were blessed to have her with us while she was here.

Bernt: Thank you.

Hoaglun: Well, Mr. President, it is very difficult. Fortunate to know Lisa and her family since they were little kids and she was just a wonderful person and someone when you -- she had the best interest of the community in mind and economic development and for development director for Kuna, she -- she was getting that city on the right path and just lots of energy and great ideas and collaboration and as a Planning and Zoning Commissioner for our community she just was well respected, had great ideas, engaged in a wonderful way with people and ideas and even if there are different ways to do things, she -- she did it in a way that was enjoyable, and, yeah, this is -- this is hard. Her family is going through a lot and, you know, just remember Dan, her husband, in your prayers. I mean he lost a wife and a child and that's very, very hard. So, just keep the Bloomquist and Holland family in your prayers. They need it. That's just a difficult time. They have strong faith, but being humans it's difficult for -- for this type of thing to handle. So, just -- we will continue to move on. I know Planning and Zoning folks are, you know, distressed, our Commissioners, as well as the department and -- and it's -- it's understandable. I just know that we will just continue moving forward and remember Lisa and all the good things she's brought into our community and just be grateful that we had this moment of time in her life she was part of ours.

Bernt: Thanks, Brad.

Cavener: Mr. President?

Bernt: Mr. Cavener.

Cavener: I always talk way too much and I'm -- I'm struggling with my words tonight. I'm sure, like all of us, we were really taken back by the outpouring of support from so many in our community and not just the Meridian community, the community -- the Kuna community, but really the -- the entire valley and while we like to claim her as ours, she was shared and loved by many. I want to thank you, Brad, because Council Member Perreault and I were texting each other today and something that Jessica said that had sat with me, which is if there is -- and not to proselytize, but if there is anything we can take away to give us a little bit of comfort at this time, that she knew the Lord and she will be reunited with her family one day soon. Want to share the Boise Dev, if you haven't read it, put together just a remarkable tribute to her and her service to our community and he shared her mantra, which has just sat with me, and I'm going to beat up all this, so I just want to summarize a part of it, which is never stop learning, never stop doing, and never stop giving and, darn it, you meet her and she -- it's not just something we say, it isn't something you put on a bumper sticker, she lived that and I think all of us, myself included, are -- are a little better for being able to rub shoulders with her. So, again, condolences to her family.

Bernt: Thanks, Luke.

Borton: Mr. President?

Bernt: Mr. Borton.

Borton: There is not much more I can add and it's no surprise going through this to see -- as Councilman Cavener pointed out that the -- the many many ways she's been engaged in our community, professionally as a friend and the affect she has had on our valley. One of many great things that she's had an impact on -- in Meridian for sure, but elsewhere, and will carry forward for those that she worked with, is the manner in which she did her business and how she treated people. She openly loved and cared when she served. That is an exceptional example of a public servant and how to do it right for the right reasons and very well. We have all taken lessons from how she did her business and conducted herself, served with love and passion, so -- will be missed, but we will be committed going forward to try and serve in that manner. Serve our community, care for our families and our friends in the same manner as she always did. She was a shining example that she -- she provided for all of us, so committed to do so going forward.

Bernt: Thanks, Joe. I don't have a ton to add. When I was elected to City Council four years ago I was on Planning and Zoning and, obviously, when that happened I -- I resigned my -- my spot and the vacancy that was taken was by Lisa. I'm not going to say that I knew -- I knew her exceptionally well, but I got to know her pretty good and she -- she was so well spoken and she was so genuine. And one of the -- one of the attributes of a leader that we follow for sure is someone who cares and she absolutely cared about what she did. She cared about multiple communities. She had roots in Boise, our friends to the east, and she had an obvious roots in Star and she played a big role in what we are doing in Meridian and -- and -- and she did it because she cared. And it's -- it's hard. It's always hard to lose someone, but it's -- but it's always hard -- it's harder when that -- when that person is so engaged -- excuse me -- in the betterment of community, so -- when the Mayor called me Sunday morning I was up at her place in Donnelly, I thought he was joking. I was like, are you -- what did you just say? And it was -- it was hard. But, Dan, I -- we love you, buddy. We are praying for you. We are praying for the Holland family and the Bloomquist family. Know that you have friends in the City of Meridian and know that we are always close as well. So, thanks for the kind words. Thank you for this opportunity to shed some light on a dear friend. Next -- excuse me. Anything else?

Cavener: Thanks for the privilege, Council President.

Bernt: Yeah.

Cavener: Appreciate it.

PUBLIC FORUM – Future Meeting Topics

Bernt: Thank you. Thank you. Next on the agenda is public forum. Mr. -- Mr. Clerk, do we have anyone signed up?

Johnson: Mr. President, we did not.

Bernt: Okay. On to community presentations. We have the privilege of having our assessor -- our Ada county assessor Mr. McQuade here. Sorry you have to -- to follow

that, but we are glad that you are here and I was just telling Joe before he walked in, this is the most fascinating presentation that we get all year, because the numbers that you provide to us are always extremely interesting. So, welcome.

Strader: Mr. President?

Bernt: Ms. Strader.

Strader: Would it be okay just to take maybe one or two minutes, just so Council can kind of gather our composure and be ready to listen to the assessor?

Bernt: Absolutely. Great. We will take a five minute break if that's okay. Sorry. Thank you.

(Recess: 6:14 p.m., to 6:20 p.m.)

COMMUNITY PRESENTATIONS [Action Item]

1. Ada County Assessor Annual Report

Bernt: Okay. Mr. McQuade, it's all you. Thank you for allowing us that five minutes. Appreciate it.

McQuade: I did not know Lisa. I was not even familiar with the name, but last night my wife said, Bob, do you know Lisa Holland and I said, no, I don't and she said, well, she and her daughter were killed in an accident. If I remember I just got sick, because as a -- as a husband and as a parent -- as a husband I can't imagine what it would be like if just all of a sudden your wife, your life's partner, is gone and the child that you and your wife gave life to is gone and you are just by yourself and I had to step outside for a minute, it was just so emotional for me. So, Lisa, even though I didn't know her and she didn't know me, she certainly has affected my life, too.

Bernt: And I think, Bob, I don't mean to interject, but I think that's a common -- I think that's a very common -- you don't have to know someone to feel that, you know. I totally agree with you. I don't need to -- I -- we were just talking about it up here. Similar things. I totally agree. Very nice of you to say that.

McQuade: You know, I just -- it's amazing. I mean we don't know how many lives we touched, do we?

Bernt: Right.

McQuade: And it's really unfortunate, but -- Mr. President and Council Members, I'm going to get started here and I'm going to set my -- my timer for 15 minutes. I don't want to abuse my stay here. What I have come out here for is to give you some numbers for your -- for budgeting purposes and, then, also just to give some information -- information

such as why are the numbers the way they are? How did we get to that? What's driving that. And, then, also, I wanted to talk about -- to clarify a topic that really has been widely discussed and is widely misunderstood and that has to do with -- with tax burden and that's going to be driving my presentation. I'm not going to spend quite so much time on the numbers, I'm going to -- quickly I will talk to you about what your -- your total market value is and we will get to the potential taxable value and that's on that sheet that I handed out. Then a quick look how we do some of the numbers on the -- on the single family residential. Then I want to go into why we think the market has been doing what it's been doing and maybe an idea of what I think might change it and briefly hit some of the numbers on commercial and, then, I wanted to -- a little more detail on new construction. That's really important to you, because of your budget -- increased budget capacity and, then, a little discussion about tax burden. One thing. These things are bound to change. The -- it sounds like there was a -- the House passed a bill today, I believe it was, that was sent over to the house to change the homeowners exemption and I'm going to get to the potential taxable value we are going to take out and I will give you the -- the total market value and we will take out homeowners exemption. Well, that's going to change, just because of that piece of legislation. But, anyway, we will get it started here. The total market value in the City of Meridian was 21.3 billion dollars. That's up 32 percent compared to last year. That's the total market value, not the taxable value. The taxable value we need to take out the homeowners exemption. I just mentioned that. That's three billion. We know that's going to -- to go up. The piece of legislation looks like it's going to be up from a 100,000 to 125,000. Then out -- we have to take out outstanding exemptions. Not all exemptions have been processed. The commissioners have to get those numbers to me by the 15th of this month. So, we will take those out just -- we will take last year's values as a proxy for what this year's values would be and, then, we will add in the operating property. That's the property that's owned by utilities the State Tax Commission assesses that operating property. Outstanding exemptions is 370 million dollars. Operating property is 104 million dollars and you have that on that sheet in front of you. All of that gives what we call a potential taxable value and that's what -- give you a rough idea of what your levy would be based on. Just a quick discussion about residential values. Market value is 16.4 billion. That's up 32 percent over last year and medium increase or existing is over 26 percent and we are just wondering what that's going to be like when the public gets those numbers. What's that going to do to our Board of Equalization hearings. Are people pretty much conditioned to -- those values have just really gone way up or is this going to really be a shock to them? We don't know.

Bernt: I think it's going to be a shock, Bob.

McQuade: Do you think so?

Bernt: I think so.

McQuade: Yeah. It's just -- it's unprecedented. It's unheard of. We have never seen this before. Median value single family residential -- the county median -- the MLS median is 443,000. Ours is just about 400,000. A little less than the MLS median. I want to spend just a couple of minutes talking about why -- why this market has been doing what it --

what it's been doing. First of all, the numbers were based on 13,500 sales last year. That's the most sales we have ever had. We usually are at around 10,000, 11,000, but 13,500 in a year when the economy was shut down, it's just phenomenal what -- what was going on out there. We had 3,700 new homes last year. The prior year we had 4,700. So, new construction we were about a thousand less than we were the year before. That was in 2020. So why? Why are we seeing a 26 percent median increase? First of all, just -- it's a supply and demand imbalance. A lot of it has to do with the growth of people coming in -- into the area. They are just -- there is not the -- the supply is -- is just not there for them. Three percent population growth in Ada county, that is a -- to me it's staggering the number we are looking and I don't -- I haven't figured out what it is, but it's certainly -- maybe 15 years or so we have seen a doubling of the population -- 20 years at the most, it's doubling the population at a three percent growth. That's really unheard of. Usually it would be about -- maybe a half -- one half percent, two percent, but it's three percent in one year. Millennials. They are getting into the market. They are pushing things out -- they are finally getting out and they are wanting to have their own -- their own house to live in. A lot of homeowners have refinanced and they are just staying put, they are not putting their house on the market. That's really constricting the supply -- available supply and, of course, low interest rates has a lot to do with it, but that's -- there is more to it than that. A lot of people are paying cash, they are getting into bidding wars. I was talking to someone the other day, we went for a walk in his neighborhood, there was a house that they just put a for sale sign up that day, that night there were a group of people standing around, they were actually bidding on that house right there before the first full day of going on the market. So, you have got low interest rates and cash buyers coming in. Of course, we have rising labor costs and material costs. Concrete last year was the issue. This year is lumber prices. Lumber has gone from 600 per -- dollars per thousand board feet to 1,600 dollars a board foot. Someone that I work with was doing a little construction project and he bought a bundle of two by fours -- eight foot two by fours about like this and he got to the checkout stand and it was 150 dollars and he said, wait a minute, this can't be right. It's like, yeah, it's 150 dollars. So, we have got that and, then, of course, the shortage of new construction just mentioned a minute ago. We only had about 4,000 new houses this year compared to last year, 3,700 new homes compared to 47 last year and to me I think the only thing that will tend to cool us down a little bit is going to be rising interest rates. That will certainly shut some of it off, but not completely down, because people coming in with cash paying for that. So, that's --

Bernt: I don't mean to interject. What do you think those -- I mean what do you -- what do you -- where do you see those interest rates going to do you think?

McQuade: Where do I see them going? It's really hard to -- I can't believe the interest rates are as low as they are right now.

Bernt: You don't have to answer that question if you don't want to. If you don't feel comfortable doing it that's fine. But -- hey Bob McQuade was in Meridian and he's --

McQuade: If I say go wash your car, do it today, you know it's going to rain the next 24 hours, so it's just opposite. So, it's the rising mortgage rates and I think that would be

good, because that would give us kind of a softer landing. I don't see a crash coming. I really don't. Not when people are paying cash for the properties. It's not like it was in 2006 and '07 where people really weren't qualified to be getting mortgages. We are getting large mortgages. So, on the commercial property, 4.8 billion dollars in real property, that's a 32 percent increase. Median change on commercial was 11 percent. That's improved commercial. We add personal property into that gives you a total market value. This is not taxable value, but total market value of about five billion dollars. It's a 30 percent increase. Let's talk about new construction. This is an important piece, because this is what -- at least under the old rules -- who knows what it's going to be like before tax bills go out. New -- new construction, you take last year's levy times the new construction value, you are going to increase your budget by that amount under the -- under the existing rules. So, the taxable value -- and this is taxable. New construction. It's 1.1 billion. That's up 28 percent over last year. Of that residential 581 million and commercial -- it's got to be -- okay. Yeah. Five hundred eighty-one million. Commercial is 270 million. New subs has changed status, 289 billion and that gives you the new -- the new construction piece. Renewals 561 million. That's up 40 percent. So, what I would like to just go into for just -- almost the next few minutes that I have got -- I have five minutes left -- is the tax burden. That is really misunderstood and it's -- everybody is talking about it and that is who pays property taxes, commercial property or the residential property owners. Here in Meridian it's 70 percent of property taxes are paid by residential property owners, 30 percent by commercial, and that is just exactly what it was last year here in Meridian. It really hasn't changed much. But over the years residential is picking up a larger piece and it's easy to -- to turn commercial property owners into villains, because they aren't paying as much of the property tax burden as they were in the past. When we were in the recession it was just the opposite. Commercial was paying more, residential was paying less, because they were hit the hardest by the declining values. But just to put this in perspective -- and I think once we understand this, then, it all kind of makes sense. We have 45,000 residential parcels. That's 12 times the number of commercial parcels and it's at 16 billion dollar value or 16 billion -- yeah, 16 billion on -- yeah. Sixteen billion residential. That's three times the value of the commercial. So, we just have a lot more residential property -- many, many times the volume and the number of parcels and, then, the value is so much more and another reason the value is increasing so much is we are looking at a 25 percent increase in residential and 11 percent increase in commercial and I just really don't -- we don't see the large increases in commercial, because they just could not withstand that. If they have their property values increasing -- especially in rental property. If it was increasing to 25 percent, they would just constantly be raising their -- their rental rates and they -- they just can't do that. So, that tends to put a -- put a damper on that and the last thing I just want to mention about tax burden -- again, it's -- it's -- the reason why commercial -- residential is going so fast is we are seeing a lot more construction, a lot more houses -- more houses than -- than the commercial properties and, then, also the value of residential properties increasing so much faster. That's why we are -- I see this 70/30 split, as opposed to maybe about 60 when you go back to just before the recession. But I think probably the most important takeaway from this is the fact that there really is no optimal mix. There is -- no one says optimal mix for residential should be 60 percent, commercial 40, or commercial 60, residential 40 -- there is nothing like that. There is no real optimal mix. It just happens to

be the way it is, because of the market forces and one thing I really tried to focus on, not so much on the tax burden, but the level of taxation and that is I -- where are we on our percentage of assessed value to sales prices. On a single family residential, when we have 13,000 sales, it's really easy for us to figure out what the -- what the level is -- 400,000 or whatever. Residential -- or commercial is much more difficult for us. We have had a lot fewer sales. So, I'm trying to -- the point I'm trying to make is that typically when it comes to the level, we assess residential property at about 96, '7 -- 98 percent of what the sales price would be. That's as of January 1st. That's where we are. Commercial is usually about 93 or 94. So, commercial is actually a lower level than residential. Last year for the first time both residential and both commercial were at 94 percent. So, to me that is really the most important number is that those levels are equal. So, with that having been said, Mr. President, Members of the Council, I'm just going to wrap things up. I have just about a minute and 20 seconds for questions.

Hoaglund: Mr. President?

Bernt: Mr. Hoaglund.

Hoaglund: A question, Bob. Thank you for being here. I remember my first time on Council, it was the middle of that recession and a whole different presentation in numbers.

McQuade: Yes, it really is.

Hoaglund: Big difference. But residential parcel count I'm showing 2021, at 45.5 and I read somewhere last day or two an article that talked about Ada county, Treasure Valley, one in five of the homes are purchased as not primary homes and so from a homeowner's exemption standpoint, where are we in terms of those 45,000 that qualify for homeowners exemption versus -- and, then, I think I would summarize, then, saying, well, then, the rest are rentals or some -- you know, investment properties, those types of things. So, do you have a number that -- Mr. President, Councilman Hoaglund, no, I don't have the answer to that. I'm sorry.

Hoaglund: It just -- yeah. Mr. President and Bob, yeah, just -- you know, we hear a lot of people talk about, oh, it's a rental, it's a rental, it's a rental and, you know, some things are and we even have subdivisions now investors are going in to build a whole subdivision as rental, because people can't afford the down payment on a home, but they want a single family home, so they are willing to rent and so it's just dealing with the marketplace and how people deal with it. So, yeah, it's just an interesting number how many are -- are, you know, primary owners versus secondary owners and does that do something to a community, does it change the makeup, those types of things. I don't know.

McQuade: Mr. President, Councilman, I could probably get that information for if you wanted to know of single family residences, what -- what the proportion of the occupied versus the nonoccupied are, if that would help.

Hoaglund: That would be great. Yeah. Just another fact to have that we can speculate about.

Strader: Mr. President?

Bernt: Ms. Strader.

Strader: Thank you so much for your presentation. I will go on what is normally the Brad Hoaglund soap box. I will try not to dwell on our federal management of our country's finances, but CPI is not the whole picture and this is inflation at work, in my opinion, and financial impression. We are just seeing how this is starting to affect people in our housing prices and it will only get worse. My question for you is that 26 percent enough of an outlier that you can feel comfortable being at 90 percent of the market value or do you have any ability to say this is an exceptional year and this is a long term change or are you sort of tied to that level of accuracy?

McQuade: Mr. President, Council Woman Strader, that's really a good question and, yes, we do have some leeway. In fact, we have only -- in my 27 years as being the assessor we have only exercised that once and that was last year. It was this time last year that everything was really shutting down housing -- actually, the year started out very strong. The first of January, February of last year started out very strong, but March and April the market really appeared that it was just -- it was on the verge of collapse and so is what we did -- rather than being at 98 percent value, we decided to be a little bit softer and we shot for 94 percent. That's exactly where we ended up, 94 percent last year. This year we are probably looking at maybe about a 96 to 97 percent level and I think we will find that on the commercial, too, and it's just mainly -- if we were at -- we will say 90 percent last year and we thought the market was going to collapse, we really would not be able to exercise, you know, that judgment -- like let's just go a little bit easier this year to see how things turn out. We would be in jeopardy of falling out of compliance and I just noticed in a report from the Tax Commission last year they had the highest number of counties and categories out of compliance and I don't know, in a decade or a year or whatever, but it was an unusually large number of counties that were out of compliance. They were below the acceptable market value.

Strader: Fair enough. Thank you.

McQuade: Yeah.

Borton: Mr. President?

Bernt: Mr. Borton.

Borton: Bob, how many of our Treasure Valley legislators contact you, if any, to -- to run scenarios on -- if we make this adjustment in the property -- the homeowners exemption, for example. To have you help facilitate making sense, if any?

McQuade: Mr. President, Councilman Borton, not very many.

Borton: Is it like zero?

McQuade: Yes. Once in a while I will have -- someone will call with a question and we can give them some information, but, typically, it's -- the Tax Commission is a conduit or our Association of Idaho Cities. They will call us and we will get that information. They will do the analysis. But as far as the legislators, we don't really get much. And if I could just -- if I could have just another couple of minutes.

Bernt: Yes, Bob.

McQuade: Speaking of this, we did have some -- some legislators come into my office this last year. Just wanted to brief them on what's going on. They had questions. For example, last fall, there was a legislative interim committee to study property tax. I think you are all aware of that. And someone said the assessor is way off on values. They used -- for example, there is a building downtown in Boise called the University Key. We had it assessed at eight million dollars. Boise State University had purchased it for 12 million dollars. So, it's like why is the assessor so far off on this purchase? Another example, in that same context was there was a home on State Street, they were widening State Street, we had it assessed at 400,000 dollars. The highway district paid -- I believe it was about 700,000 on this. So, we explained to the legislator the reason we do that is because of the laws that they have passed. This law specifically is we have to assess at actual and functional use. We can't assess it at potential use. We can't assess it at investment use. We have to do it exactly at actual and functional use and we assessed the University Key at eight million dollars. That was an office building being used. Who knows what Boise State's motivation was for that building and, by the way, they would not give the appraisal to that legislator that was talking to us. He asked for it. That single family home on State Street, the highway district paid 300,000 more. Again, we have to assess that as a single family residential property. The highway district wanted it for some other use and they were willing to spend that, but -- so, we are really locked in to these laws -- into a particular law. We have to assess at actual and functional use, not highest and best use, so -- anyway, sorry about that. I thought it was an important point that needed to be made, because people are saying they are so far off.

Bernt: Interesting. I have a lot of questions for you, Bob, but they might be better served maybe in your office.

McQuade: I would be happy to come to your office or you can come to my office and we can -- be happy to visit with you about it.

Bernt: It's interesting information. Council, anymore questions for Mr. McQuade? Thank you. I always love your presentations or I -- my mind just like is going a million miles per hour right now and you are just super interesting. So, I appreciate it.

McQuade: Well, thank you. It's -- it's, obviously, really interesting to me, too, and it's certainly important to all of us, those especially in the arena that we are in, we are levying against those values.

Bernt: Perfect.

McQuade: Mr. President, Council Members, so good to see you in person.

Bernt: So good. Thanks, Bob. Have a great day.

Strader: Thank you.

ACTION ITEMS

2. Public Hearing for Volante Investments (H-2020-0118) by The Land Group, Located at 2600 and 2700 E. Overland Rd.

- A. Request: Modification to the Existing Development Agreement (Inst. #2016-060157) to include a conceptual development plan for the eastern 15.89-acre portion of the subject property that is consistent with the Mixed Use – Regional (MU-R) Future Land Use Map designation in the Comprehensive Plan.

Bernt: Onto Action Items. Item No. 2 we have a public hearing for Volante Investments. That's Item No. H-2020-0118. We will start off with the staff report.

Allen: Thank you, Mr. President, Members of the Council. The applications before you are --

Bernt: Sonya, I don't mean to -- that was -- I don't mean to interrupt. I apologize. I have one question for Bill before you start. Bill, do we -- both -- Mr. Borton made an interesting question about do we want to open up these both at the same time, because they are kind of quasi -- numbers of the same. Obviously, not -- but I mean same people, I guess, the same project?

Nary: I would -- Mr. President, Members of the Council, I would do them one at a time, just so the record is clear. That this is -- this is the conversation on this item.

Bernt: Okay.

Nary: And a separate one.

Bernt: Perfect. Thanks, Bill.

Allen: Mr. Nary, if I may clarify if you are not aware, the staff report was already written to include both --

Bernt: It's the same staff report --

Allen: -- projects.

Bernt: Right.

Nary: Oh, you're right. I apologize. You're right. So, they can go ahead and open them both.

Allen: Thank you.

Nary: Sorry about that.

Allen: Okay.

3. Public Hearing for Seasons at Meridian/Winco Wells Subdivision (H-2021-0007) by The Land Group, Located at 2600 and 2700 E. Overland Rd.

- A. Request: Conditional Use Permit for a multi-family development consisting of 360 dwelling units on 15.89 acres of land in the C-G zoning district, located at 2700 E. Overland Rd.
- B. Request: Preliminary Plat consisting of 3 buildable lots on 34.62 acres of land in the C-G zoning district located at 2600 and 2700 E. Overland Rd.

Bernt: All right. So just for the record, opening Item No. 2 and 3, H-2020-0118 and H -- Item No. 3, which is H-2021-0007.

Allen: Mr. Chair, Members of the Council, the applications before you tonight are a request for a development agreement modification, a preliminary plat, and a conditional use permit. This site consists of 34.62 acres of land. It's zoned C-G, general retail and service commercial district. It's located at 2600 and 2700 East Overland Road. The Comprehensive Plan future land use map designation for the property is mixed use regional. A development agreement modification is proposed to exclude the east parcel from the existing development agreement and for a new development agreement for the east parcel to include a conceptual development plan for the site as required. The proposed development plan for the east 15.89 acre parcel is for a 360 unit multi-family residential development, consisting of a mix of studio one, two and three bedroom units in ten structures. Parking is proposed in excess of UDC standards. There are a total of nine extra spaces proposed. A total of 3.8 acres of outdoor common open space is proposed, which exceeds the minimum 2.1 acres required. A minimum of five amenities are required, but the decision making body is authorized to consider additional similar amenities if they believe the proposed amenities aren't adequate for the size of the development. Amenities consist of a clubhouse, with a swimming pool, bike maintenance room, fitness facilities, parcel lockers, remote work classroom stations and a coffee bar. An outdoor fireplace with seating and a barbecue. Public art. Half mile pedestrian loop with a ten foot wide pathway and internal pathways. Eighteen grassy areas of at least 50-by-50 feet in size, including a dog park, multiple courtyards, park areas with seating, a plaza and pocket libraries. A community garden and a children's play structure. A mix of two and three story structures in a contemporary farmhouse theme are proposed as

shown. Final design is required to comply with the design standards in the architectural standards manual. A preliminary plat is proposed, consisting of three buildable lots on 34.62 acres of land in the C-G zoning district. It is proposed to develop in two phases. The first phase consists of the extension of South Wells Avenue to East Cinema Drive. So, Wells is the north-south street here. Cinema Drive is the east-west. The first phase, as we said, consists of the extension of South Wells Avenue to East Cinema Drive and includes the east parcel. And the second phase consists of the extension of East Cinema Drive from Wells to the west boundary of the site and includes the west parcel. Right of way for the extension of South Wells Avenue and East Cinema Drive is proposed to be dedicated with the plat. In order to provide interconnectivity between uses in a timely manner and to disperse traffic, staff is recommending the extension of East Cinema Drive from the west boundary of the site to South -- South Wells Avenue -- occurs with the first phase of development, rather than the second as proposed. The Commission did reaffirm staff's recommendation and that is currently a condition of approval. The applicant is not in agreement with this condition and request it is removed and that is condition number 3-C. Written testimony received since the Commission hearing was received from Deb Nelson, Givens Pursley, and from Greg Goins, Winco Foods. They are requesting the condition requiring the extension of Cinema Drive with the first phase of development be changed to the second phase of development as proposed with the plat and from Chanel Buckner. She opposes the development due to the high density proposed, which she feels will add to the increasing traffic and crime in the area. That concludes staff's presentation.

Bernt: Perfect. Thank you. Any questions for staff? Okay. Turn the time over to Deb. Sounds like she will do a presentation. Thank you.

Nelson: Good evening, Mr. President, Members of the Council. Deborah Nelson. My address is 601 West Bannock Street. Before I begin I have to acknowledge Lisa Holland, who was a friend and colleague, and will be missed by the entire development community and the economic development community. I know she had a special place in Meridian and in Kuna, but I know that she's loved everywhere. So, my condolences to her family. Tonight I am here for the applicant for the Seasons at Meridian Apartments, Morgan Holdings and Stone Hill, and representatives of that applicant team are here with me and are available to answer any of your questions. Thank you so much to Sonya for her hard work and collaboration on this project. We are in full agreement with her project report and the Commission's recommendation, except the one condition that she mentioned and I will discuss that this evening. The proposed apartments are on a 16 acre parcel at 2700 East Overland that's outlined in yellow here. The site was part of a larger annexation and zoned as C-G in 1994 and in 2016 the city approved a development agreement governing both the apartments, project site, and the Winco site to our west outlined in blue here. Just to briefly look at that DA to get some context for this project, the 2016 DA, condition number two, allows development of the Winco site at 2600 Overland, consistent with the concept plan and that DA concept plan shows a 85,000 square foot retail building north of Cinema Drive and vacant land on the south. The same development agreement in condition three says that to development -- to develop the eastern parcel our project site for the apartments at 2700 Overland, the DA just requires a DA modification to include

that new concept plan, consistent with your future land use map, and that's the context for our application to include a DA modification to provide that concept plan and as Sonya noted to separate out the ownership with the new developer of the apartments and as Sonya describes in her staff report, the proposed multi-family use and development plan is consistent with the mixed use regional designation in your future land use map, because it contributes to the use with the higher density residential that's really needed in this area. It's already largely developed and planned with commercial and employment uses, but there is not a lot of -- of residential and as you can see from this map, this -- this particular MUR designation is a large area, 650 acres, actually, and that large area has the extensive retail and office uses, but is well below the target range in your comp plan of six to 40 units per acre. Currently this entire area has only 1.27 units per acre. That -- stay there for a second. That residential deficit is particularly striking in the northwest quadrant where this site is located and that 130 acres that's northwest of Overland and Eagle, where the current residential density is only .06 units per acre. And as the staff report notes in support of this application, the higher density residential is going to support those commercial and employment uses providing customers and employees that can walk to work and also provides a great transition from the low density single family residential in the county to our east and their large retail to our west. So, in addition to the DA modification application, we are also requesting preliminary plat. Just a little context for why we are doing that. The city and Winco Foods previously believed the apartment site was a separate legal parcel, but as we dug into that with this application it's not clear that that was -- that the records are available for that. There may have been an administrative lot split in the past, because there were separate building permits and driveways permitted, but those records have not been found. So, we are -- we are providing a preliminary plat to clean this up and ensure legal lots. We have proposed two phases. The phase one includes the apartments and the extension of Wells Avenue. Also a signal. Phase two includes the remaining Winco Foods parcel with two lots and the extension of Cinema Drive and ACHD has approved that phasing. The Seasons at Meridian will include 3.8 acres, which is 24 percent of qualified open space, which exceeds the city codes requirements and because only 2.1 acres is required here, there will be internal pathways and sidewalks that link throughout the site, including a perimeter, half mile walking loop. The site includes a dog park, a large centrally located clubhouse area, with pool and barbecue and seating, courtyards within each building enclave. Significant landscape buffers provide attractive screening, along with all perimeter borders. The Seasons at Meridian will also provide 26 qualified amenities. I apologize, this -- my slides are out of sequence. Okay. Pause for a moment. Let me step back -- let me step back to the buildings here. My apologies. Thank you. First, looking at the site plan before we go into further details about the open space and -- and amenities, just want to show this -- this arrangement and, in particular, I think I will jump right to the aerial showing how well the building arrangement creates this urban like block pattern that's called for in your Comprehensive Plan for MUR areas, really nicely framing the open space and it's interlaced with the landscape pathways and the boulevard entrance and these L-shaped buildings really create that intimate open space in between each of the areas that the Commission really liked. Each building has been designed to create a sense of scale by incorporating a blend of two and three story rooflines, softening the overall massing of the architecture. The pedestrian access is provided by several

formalized enhanced entry gates for each building that conceal the stairways away from public view and these apartments will include a mix of studios, one bedroom, two bedroom and three bedroom ranging in size. Each unit is carefully designed with private patios and balconies to create that indoor-outdoor space and the interior designed with open spacious floor plans and an abundance of glass. Informal living and dining areas have large island kitchens ideal for entertaining and other amenities include large bedrooms with walk in-closets, dual vanities and master suites, large showers and ample storage space. The architectural theme is contemporary farmhouse. A combination of vertical board and batten siding, stucco, and decorative balcony rails, along with varied color schemes create a soft and well-balanced exterior facade. Just touched on the open space. The excessive acres there. Let's jump to the amenities. Seasons at Meridian is going to provide 26 qualified amenities. Only five are required for this site under your code and they are going to represent each of the three categories listed in your code. The clubhouse has fitness facilities. The bike maintenance room. Remote work and classroom stations. A coffee bar. Outdoor amenities include outdoor fireplace and seating and barbecue, a plaza, community garden, a pool, children's play structure and walking trails. The slides -- these slides provide some imagery for the architecture and the quality of design for the clubhouse and amenities that are available to these residents. Interior images show the fitness rooms and workspaces and gathering spaces and some more imagery of the pool area. The clubhouse includes the property management office, the maintenance storage area, central mailbox, and also these great electronic parcel lockers that allow residents to receive parcels even when they are not home and access them with a code that they received. The Seasons at Meridian was carefully designed to integrate with the surrounding uses. The treelined east-west driveway aligns with Cinema Drive, which will ultimately extend through the Winco parcels when it's developed, creating this visual and physical integration to commercial uses to the west. On our east side there is single family residential, a county subdivision that does not allow vehicular connectivity, but we still provide that pedestrian connectivity and welcome these residents to enjoy our walking paths. We have also created a significant buffer between the proposed project and the existing homes to our east to ensure compatibility. Our buildings are set back over a hundred feet from the side property line and the average setback of our neighboring residences is over 250 feet. The project will maximize and use existing city services, because it is an in-fill project. Will connect to adjacent utilities. We are located close to existing fire and police infrastructure. ACHD has reviewed and approved the traffic study and we have no concerns with their conditions of approval. The schools -- the project will have very minimal impact on school enrollment. Based on West Ada's projections we will only generate 36 students. So, as noted we are in complete agreement with the staff report with just one exception. I would like to touch on that condition. Staff's recommended condition A-3-C of the preliminary plat would require Cinema Drive to be built with phase one, rather than with the phase two commercial development as contemplated in the development agreement and as proposed in the phased preliminary plat that has been approved by ACHD. I want to touch on the reasons for that. I mean, first of all, the extension of Cinema Drive is not necessary to serve the apartments, which is the only use in phase one. The apartments have primary access from the extension of Wells Avenue and secondary access to Overland. The traffic impact study that was prepared for the Seasons at Meridian Apartments assumed that no traffic -- no trips would

go on Cinema Drive and knowing that that was for a later phase and with those assumptions still meet all levels of service at the intersection of Wells and Overland and on the segment of Overland in front of us and that's why ACHD approved that phasing plan. Pedestrian access is already existing as well along the sidewalk along the entire frontage of Overland there, connecting our residents to businesses to the west, all located within a quarter mile. And not only is that road not needed now, but it would be problematic to advance this requirement. It is going to be built with phase two, but advancing it from phase two to phase one creates some problems. Winco Foods, not the apartment's applicant, controls that property and as you can see from the April 26, 2021, letter from Greg Goins with Winco Foods, Winco supports the apartments, but objects to this condition for a few reasons. Most important -- most importantly the precise location for Cinema Drive is not yet known until they know exactly what the retail uses that are going to be on that parcel that's south of Cinema Drive they don't know the exact configuration and so -- and they won't know that until they finalize their development plans with phase two.

Bernt: I don't mean to interrupt, Deb. So, will that affect where the entrance is in -- in -- in your project that you are representing?

Nelson: Council President, no, they -- the end points are known on each side and we will align each end point, but the exact trajectory in the middle from west to east to our access point is the placement that's unknown.

Bernt: Okay.

Nelson: Another problem with constructing the road now -- it would prematurely end the farming operations that are ongoing on that parcel until the development is done on phase two. This will create a maintenance burden, because the road would bisect it east-west, the core gets run north-south and so it could not be farmed in its current configuration, creating weed and dust control management issues. And, finally, advancing the road now -- that requirement now places a significant additional cost burden on the apartment's applicant, who is already absorbing the full cost of the signal, which was required for the original Winco. So, with that we ask for your approval of the DA modification to add the new concept plan as was contemplated in that 2016 DA. We ask for your approval of the conditional use permit for the apartments as recommended by staff and the Commission and we asked for your approval of the preliminary plat to clean up that legal parcel history, create the three lots, but without the condition of approval advancing that Cinema Drive extension. And with that I would stand for any questions.

Bernt: Council, any questions?

Hoaglund: Mr. President?

Bernt: Mr. Hoaglund.

Hoaglund: Deb, the question, then, as we are talking about traffic and road alignments

and those types of things, is the signal at Wells and Overland going to go in upon completion of the apartments? When -- when does that timing take place?

Nelson: Council President, Council Member Hoaglund, before the occupancy for the apartments. So, with the apartments before there is any use there a signal will be there.

Hoaglund: Okay.

Bernt: Any other questions from Ms. Nelson?

Hoaglund: I have one more.

Bernt: Okay. Mr. Hoaglund.

Hoaglund: Deb, I want to raise the parking issue. There is the -- it's nine extra spaces are proposed for a 360 unit development and it does meet our requirements and -- but at the same time it seems like when I drive around and look at things there is definitely -- if you get ten percent of the people invite someone over and they drive there, you got 36 extra cars and, you know, not everyone has two vehicles. Sometimes they have more, but is there any other place to find more parking in that development?

Nelson: Council President, Council Member Hoaglund, thanks for the question, because I -- it is great to explain. We are providing 655 parking spaces, which is 24 spaces more than your code requires for residences and Sonya is correct to say that overall in the application we have nine extra spaces and the reason is that the city code requires 16 spaces for a nonresidential use and the way staff interprets that they apply that to our clubhouse. So, really, in function, though, our clubhouse is a residential amenity. There won't be outside people coming in largely to use that and so we expect that those 16 spaces are really available for the residents as well, creating a balance of 24, which is a very overparked apartments from the developer's experience and need and demand by their clientele and -- and even if there were guests, which would certainly be welcome for the apartment residents to have guests to use the clubhouse, the clubhouse is only open 9:00 to 6:00 and so when parking is really in demand at apartments overnight, it will be available no matter what, even if there were guests that were coming to use the clubhouse space. So, I hope that gives you some additional feel for the -- the amount that we feel it's overparked. Twenty-four over their requirements in your code for the residents.

Hoaglund: Mr. Mayor -- Mr. President. Deb, that -- that does help. Thank you.

Cavener: Mr. President?

Bernt: Mr. Cavener.

Cavener: Deb, can you pull back up the site plan. Your presentation -- there is a lot of amenities that are being presented within this project. I'm hoping you can maybe walk Council through -- or maybe go back one more or two more. Or two.

Nelson: Well, the -- I don't know which one shows it best. Did I pass it? This is -- this is the problem with them being out of sequence was the concern earlier. Does that help?

Cavener: If you could even walk us through where -- I clearly know where the pool and the clubhouse are, but where -- can you kind of walk us through where all of the other amenities are placed throughout the site?

Nelson: Council President and Council Member Cavener, I will start that and, then, I may invite our client up to -- because I think he can do a better job than I can in describing that. But just in general terms, the dog park is up in that northeast corner. Can I -- can you see if I -- it doesn't show up on there. The kind of light green triangle that's up there. The clubhouse amenities, you can see the pool and all of the outdoor fireplace and barbecue and seating that goes around that pool. The -- and, then, within each of the enclaves I love the way the buildings are arranged. They create these interior courtyards and there is actually a theme that goes with each of these interior courtyards that matches the seasons and they have different amenities within each of these courtyards to appeal to different residents' desires. So, with that I think I would invite Ryan to maybe give a little more flavor on that, if that's okay with you.

Morgan: Members of the Council, Mr. President, Ryan Morgan. 1400 Little Raven Street.

Cavener: Eat the mic. You might need --

Morgan: Oh. Can you hear me? Ryan Morgan. 1400 Little Raven Street. Members of the Council, Mr. President. It does not work. So, Deb pointed out most of the spaces in -- and like she was saying, the yards are actually the seasons -- the four seasons that we have. We actually can count five courtyards. We have summer twice, because we really enjoy the summer season. On the south side of the picture you can kind of see a little seating area right over the word Overland and that's matched kind of on the right where Cinema kind of extends and ends, that's kind of where we are going to have those pocket seating areas, as well on the north side. So, kind of a triangle around the site. We have these nice little seating areas. Our plan is to have a little library section outside where Cinema ends and see the walking path kind of meanders around the edge of the site and a lot of connectivity. We wanted the driveway to -- when you drive into the -- it would be different than all of the different drive lanes. So, it has a really sense of place. It's really green. We wanted to feel like you are coming home. That's -- I think that differs us from other developers, it is being able to create that sense of place; right? So, the parking is on the outside. So, when you are inside your apartment and you really look into these courtyards, you feel like you are within a smaller community within a larger community and, then, the ability to be able to walk everywhere and access everything just -- just makes that a broader place of -- place.

Cavener: Mr. President?

Bernt: Mr. Cavener.

Cavener: Ryan, can you -- my assumption is that each of your buildings have a mix of the one, two and three bedrooms.

Morgan: And studios. Correct.

Cavener: Can you walk us through -- when I start to seeing two and three bedrooms, I start thinking young families. So, obviously, where children have an opportunity to play and recreate, can you walk us through kind of how that plays out and where -- where those amenities that would benefit children would -- would be located.

Morgan: Of course, I did not mention the tot lot. So, if you see where the pool is --

Cavener: Uh-huh.

Morgan: -- just north of that there is like a little -- looks like a sandy area --

Cavener: Uh-huh.

Morgan: -- that's planned to be the tot lot and, then, just to the right of that is actually kind of a trellised yard where we imagine people bringing lawn chairs and hanging out and throwing a Frisbee and that's kind of like our evening summer session, which is kind of an extension of the pool and incorporated in like the greater clubhouse sense. It's actually pretty amazing. Our architect was able to actually copy and paste the same efficiencies of every single building, so the unit mix in every building is the exact same. So, they are mirrored against each side. So, we kind of focus all of our outdoor spaces central to the clubhouse where the tot lot is, but, then, in each courtyard as well -- in the winter we have a big fireplace, there is different grilling areas. Spring I believe we have our planting gardening beds and, then, the dog park, again, is at the top. We tried to keep the dog park away from most people. A lot of people love dogs and want to be near dog parks. We allow, you know, those -- those northern buildings to have that access, but want to be, you know, cognizant of people and noises.

Strader: Mr. President?

Bernt: Ms. Strader.

Strader: Thank you very much. Ryan, West Ada estimates 36 students from this 300 plus apartment project. Just curious what your opinion is based on other developments that you have done. Do you think that that is a realistic number of students entering the school system?

Morgan: Mr. President, Ms. Strader, yes, I do. I have built projects for millennials. I have also built projects for families. You know, the number of three bedrooms we have in this community is not a lot and we really believe that more families will be focusing in the three bedrooms, rather than the twos, ones, and studios and we really see this more as transition for families -- we were talking earlier about the restriction on homes, people

coming in not be able to buy homes or put down payments on. So, we really see our three bedrooms as that -- people moving in, staying for one or maybe two years, while they are looking for a home or while they are in transition moving to Meridian or trying to find a -- their permanent residence. So, we don't believe that -- this is going to be heavily geared towards students. We believe some families, yes, will be living there, but it's not our assumption that it will be -- had as many families as you would say maybe north of us or closer to Eagle.

Strader: Quick follow up, Mr. President.

Bernt: Go ahead.

Strader: So, how many three bedrooms will you have in the complex?

Morgan: That's a very good question. I believe there are a little less than 36. About ten percent. And so we did talk with Marcy earlier with the school district and she kind of went through the math, which was interesting. They believe -- they assign ten percent of the units to students and they divide that by 13 grades and, then, you -- there is essentially four students per grade. It's 2.97, I believe, and so for high school, which is four grades, that is 11 students. And so I believe the numbers that you have, the high school, which we talked -- it's over -- populated by three students just down the street. So, the 11 to the three would be what the addition -- her math would be.

Strader: Yeah. Thank you. I -- it's not your math. You don't need to -- you don't need to own their math. But I'm having a hard time -- we used to say it was .8 students was kind of our formula and we seem to be going in a very different direction. So, I'm just trying to get some feedback from the development community if there is a good grounding in that. But your number of three bedrooms gives me some idea. That's helpful.

Morgan: And there are a number of other developments coming out with a heavier set of three bedrooms that we believe cater more towards that -- that family lifestyle. Thirty-three bedrooms. Thirty? Thank you. Three zero. I wanted to say one thing about the parking earlier. We never expect to be a hundred percent full as well. We estimate typically around 95 percent. So, that's about -- I think 18 units less than full, which if you multiply by two is another 36 parking spaces that we believe will be in excess.

Hoaglun: Mr. President?

Bernt: Mr. Hoaglun.

Hoaglun: Question. In doing the reading and research on this there was something about windows and R value and sound proofing. Since you are up against the off ramp, whatnot, can you explain that a little more?

Morgan: Oh, of course. So, noise is a big concern, so we used a local sound engineer go and walk the site and state kind of where the edge of our buildings will be, as you can

see here and really do kind of sound testing to see what you would be hearing from the Interstate and it's actually interesting. If you look at the interstate and, then, the off ramp and, then, kind of backs up to our building is we are actually pretty offset from the actual traffic that's traveling along the highway. The sound engineer did not recommend a sound wall or anything over -- over and above creating sound proofing. They recommended higher STC ratings, which we will be going through in the design process using the sound engineer, but they didn't believe anything above and beyond was necessary.

Bernt: I got a question for you.

Morgan: Please.

Bernt: So, your exterior design looks pretty cool. I mean you are like Idaho here, you know, Meridian to be specific. So, I like it. I like the urban slash farm look. I think it's pretty -- have you done that look in other places? Is this -- do you have pictures that I could see what that looks like?

Morgan: We have a website with a lot of projects we have done. We -- we change the looks. You know, a lot of the time the design is dictated by design guidelines. An example is both in Charlotte, North Carolina, 65 percent of every elevation had to have brick. That's a lot of brick. They didn't want any color other than light, like the brick, and so you can't really play a lot. What's really wonderful about here is the guidelines are -- allow us to be creative and really, you know, essentially something different. You know, there is a lot of farm buildings that kind of go with -- I wouldn't say the cheapest finishes, but they don't get creative and one thing I love about our team is our ability to be a little out of the box and so we think what we are designing really does fit in with the community, but also stands out from, you know, a lot of cut, copy and paste that you see a lot of other places.

Bernt: Cool.

Morgan: Did that answer your question?

Bernt: Sort of. I'm good. I like the design. I think it's pretty cool.

Morgan: Thank you.

Bernt: One thing I like about it is how each individual section has its own community to a certain degree. I think it's awesome.

Morgan: It's really important to us. And one thing as well, it's hard to tell here, on the elevations, the experience is very important to us --

Bernt: Yeah.

Morgan: -- and so a lot of times you will walk apartment communities and you will see the condensing units on the ground, which is easy for maintenance, but I believe is very burdensome and loud and kind of in the way. If you see these white areas kind of in the

middle of the buildings, those are over the corridors and that's where I plan on putting all of our AC units. So, we kind of think through really how people are interacting, how they are going by and what -- you know, creating a pleasant home environment. But our architect did an incredible job, too, in allowing the stairwells on the inside, so you are not driving by looking at stairwells -- I thought was really smart.

Bernt: Different. Council, anymore questions?

Borton: Yeah. Mr. President?

Bernt: Mr. Borton.

Borton: As we look at the site plan -- and there is reference in the staff report to least discussions upon the cross-access to the east, you know, some of the -- some of the benefits of the sequence of this is this goes in before large lots to the east get redeveloped.

Morgan: Uh-huh.

Borton: It looks at least that it's designed for potential cross-access to the east, but -- is that -- is that the intent of the design or --

Morgan: It's -- it's not the intent of the design. We have been -- we have talked about it. You know, I have talked with a number of the neighbors, but -- and the owners to the northeast, who have two lots up there, but it was never expressed to us explicitly like, hey, let's connect this, it's been mentioned in a few meetings. But, you know, we are -- we are open to things, but it's never kind of really fully been -- but --

Nelson: If I may, Council President, Council Member Borton, just to add, the -- your code doesn't require cross-access where you have got residential to commercial and I think the concern that we have discussed as we have tried to explore that, whether there is an opportunity there is it's likely or quite possible at least that the community to our east, if it redevelops, would redevelop as commercial or a mixed use and that would create a traffic burden through the residential, which is why your code doesn't require cross-access between residential and commercial. I think that's the concern is the unknown. But we did align that drive with Cinema Drive to create at least that integration and appearance and certainly to the west and, then, on the east it creates that pedestrian connectivity, but I think you guys have aligned an amenity there, a seating area and a pocket library right there at the end to create that pedestrian connectivity there, but it doesn't connect through vehicularly. Just to add to that discussion of what we have considered.

Borton: Okay.

Morgan: I misunderstood. I was talking about the north drive, not the center drive.

Borton: No. And the report talks about that discussion, pros and cons. It's not required,

but it could be a condition, but staff didn't include it as a condition of approval that there be cross-access and I think the explanation makes good sense why it wouldn't be, but you had it sort of buttressed with the seating area and I think the pocket library, which I just have to ask, is it literally like a little tiny library or pocket library? What is -- how is that an amenity? Like a community bookshare?

Morgan: Essentially correct.

Borton: Okay.

Morgan: You know, benches, outdoor seating areas, trellises, just a nice place to sit down and -- and read your books, if people still use paper books.

Borton: Is it -- is it -- is it the idea as -- if it's going to be an amenity is it literally like a constructed little kiosk where people leave a book, take a book?

Morgan: Right.

Borton: Okay.

Morgan: You might see in the neighborhood or in different pocket parks around the --

Borton: I think it's a great idea. One follow-up question on that. The -- the design elements that you provided are really attractive and it begs the question that one area where we see well done projects maybe fall short, because it's a CUP, we have got to bring it up, are the carports, right, which are noticeably absent from this picture -- picture, but can you give us some detail on how the carports might be designed to be so attractive and unique to match the wonderful unique design of the buildings themselves and not just flat metal roofs that detract from the beautiful project?

Morgan: If I tried to build that my architect would probably try to kill me. No. We want something that -- that blends in with the architecture. We are not going to just pick something off the shelf and just go with it. You know, a lot of contemplation, obviously, has gone into how our site ties into itself and, then, surrounding landscaping and so the carports are going to match that aesthetic. We haven't designed them yet. We kind of wait until we need to break into that. But I'm not planning on putting something ugly in front of these beautiful buildings.

Borton: Is there a way that -- and you can think about this and maybe in rebuttal bring it up, but is there a way to articulate that today somehow as -- as one of the conditions as part of this, to help describe and -- I'm not sure how to do it here on the fly, but something that provides some context to what they might look like. Just something to think about as we go through this.

Morgan: I will say I'm -- I'm a dumb developer and I hire very smart landscape architects and architects who know design.

Borton: Okay.

Morgan: So, I really worked with my teams to -- on that aesthetic. If I tried calling out architectural terms I would stumble over myself. So, I really rely on my teams to create the beautiful sites that you see.

Borton: Okay.

Bernt: Mr. Cavener.

Cavener: Mumbling under my breath, but maybe staff could help with that, Mr. President.

Bernt: Okay.

Morgan: But I want this to be a beautiful project. I will say that.

Bernt: Anymore questions for the applicant? Okay, guys. Thank you.

Morgan: Thank you very much.

Bernt: Since this is a public hearing, Mr. Mayor, do we have anyone scheduled to testify?

Johnson: Mr. President, you called me Mr. Mayor, so just --

Bernt: Excuse me.

Johnson: But thank you.

Bernt: Excuse me. Mr. Mayor. Mr. Clerk.

Johnson: I will -- I will keep my current role, but -- we had one advanced sign-up. Todd Ebeling. Ebeling.

Bernt: You called me something earlier. Mr. What?

Johnson: I only asked if your middle initial had multiple meanings.

Bernt: I apologize for that, Mr. Clerk.

Ebeling: Thank you, Mr. President, Council Members. Todd Ebeling. 3536 South Lamone. And just to give you just a tiny bit of background, I moved from Portland. My family. Our business. Ten years ago. And so I don't consider myself a veteran, but I do consider myself -- lived here long enough to have seen some changes. Things were, you know, depressed more and -- ten years ago. Long story short, we ended up building a house on the south side. Same neighborhood as Mayor Robert. And, you know, have become increasingly concerned with the congestion and I know some of that can be

relieved through road improvements and ACHD is slowly rolling that out and working on that and Overland -- this project on Overland is a concern, because, you know, it's already a five lane boulevard and with that being already five lane, I know ACHD does their traffic test and put out their strips and they do their counting and all that stuff. But, man, I have to say, you know, I speak for myself, my family, friends, neighbors and business associates, being a businessman in the community in the heart of Meridian, we have done our own traffic studies and, honestly, it's going from bad to worse and with that said I can't imagine that this is good for the community and I'm scratching my head, as a -- you know, I think of myself as reasonable intelligence and strategy thinking as a business guy in the community and I scratch my head just thinking, wow, is this really helping the livability and the quality of Meridian, you know -- and I'm sure when I say we the people, I'm speaking for myself and my neighbors, business associates and yourselves, you know, do you wake up in the morning and go, golly, and I'm really hoping to see some -- some more congestion in our area and I know that you're not, I know you are good people, I have looked you up and read your BIOS and, you know, you are like me, probably have ideals and I just think that, you know, this thing is commercial general along that strip of the freeway and on both sides of Overland. I personally think and -- and I speak for those that I have talked to, friends, family, business associates and neighbors -- it should stay commercial general. It just makes sense. I mean that whole area is commercial general. Why throw this in the mix and add to the congestion that we already have that's going from bad to worse. And I'm sure you experienced that in your own neighborhoods where you live, if you hit the roads at the wrong time it's not a good thing. Does that mean it's time? All right. Thank you for your time. Do you have any questions for me?

Cavener: Mr. President?

Bernt: Luke.

Cavener: Todd, thanks for being here. Appreciate your testimony. I think you have touched on something that we at Council hear a lot and I think that we wrestle with, which is -- I don't think any of us wake up -- to your point I don't think any of us wake up and say let's bring on more congestion. And so one of the things that I -- I always wrestle with, because I think some of the questions you raise I have raised myself as I have reviewed this, is what's going to generate more traffic on Overland? Is it going to be more commercial with cars coming in and going out all the time or residential that kind of has, again, less ongoing traffic on a regular basis and so I'm curious if -- if you have kind of explored that and kind of what conclusions you have drawn.

Ebeling: Well, I mentioned that we moved ten years ago from Portland and Portland is pretty renowned for its love affair with high density and I mean they will squeeze some crazy stuff on some crazy small properties and so we -- we moved here for the quality of life, having visited here for 25 years, and that quality of life was what attracted us to this area. So, one could say we were escaping the negative effect of an out-of-control, high density planning and zoning commission in Portland in Multnomah county, if you are familiar with that at all, it's -- it's -- it's really gotten pretty horrendous and we -- just as a family, as business people, don't want to see that happen to Meridian. I understand in

planning and zoning -- and I have friends back in Portland that have worked for the City of Portland and been involved in high rise apartment projects and also in residential and sometimes we argue about stuff, but they are pretty honest with me and they -- and they say that, you know, they have had to learn to play ball in Portland, because -- just because of the way it is and -- but they -- they regret having to be involved in that and they, too, would like to move here and I'm like, well, you might just vet this place first, because it's just getting like that. So, I mean to make the long story short, we love this place, we love living and working here, employing people here and our business and we would like to see the livability and the quality, stay balanced and that balance really is -- I understand that there is going to be some high density and there is going to be -- there is the mix, there is the balance that goes on in planning a community. I would like to see the scales tip to the less negative impact of more congestion, to make a long story short.

Hoaglund: Mr. President? Todd, I appreciate your comments, you know, because you are really touching on the struggle that we do have and, you know, developing comprehensive plan and the new most adopted in 2019 and -- and we got the future land use map and -- and the things we struggle with as we grow and we are continuing to grow and it doesn't look like it's going to slow down anytime soon and you heard the assessor's numbers tonight and -- and so how do we -- how do we do things like public transportation, you know, how do we have the densities to make that viable and -- because we don't have really great public transportation, we just haven't had the densities and the population. So, those are the things that we are always trying to figure out and -- or at least, it's new to us. I mean we don't have -- it hasn't been long established. We have just been a car culture and it's going to be hard to -- hard to get away from that. But, you know, what -- what type of -- you know, if -- if you look at this property and you talk about more commercial, are you thinking is it office, is it where we have a retail component there on the west side? What -- what type of component would be on the east side? In your mind how do you see that?

Ebeling: Well, I see it as that whole entire strip there. You have got some service, you got some food related, you have got some businesses, some offices and so I guess that falls under your commercial general zoning and that it's -- it's got some leeway to go -- to lean this way and to lean that way and in that commercial general -- I mean, yeah, a Winco store is going to generate this ongoing traffic and I get that, but under that commercial general wouldn't that be that you are approving a mixture of businesses that could come in there. And, of course, in the balance of our community, you know, we do need to have land that people can set up shop in and, you know, like us we are in light industrial and that's kind of a whole different game than retail on a boulevard like that. But it's -- it's like -- it just makes sense that if I was a business that fell under the commercial general and needed some access from a street like Overland, I would think that I want to be in that neighborhood. I wouldn't want to be in another neighborhood that has less going on. Because people go to that area and maybe on their way to the theater they are going to hit the Sonic or they are going to hit my restaurant that I have there or maybe they are going to hit -- you know, get an oil change or something, you know what I'm saying? It's -- it's like people go to an area to get stuff done and, then, they can kill a couple birds with one stone. So, it's like -- I mean -- wow, you know, I look at the map,

the -- the -- what would you call the FLUM and then -- and, of course, there is the updated zoning map, which, you know, shows the commercial general and, then, you have got the FLUM that shows mixed use in that same area. So, I was looking at that today and it's like, okay, it's kind of interesting that there is a whole lot of purple there that it's commercial general. I think from a -- from a negative impact of -- like I said, you know, go and do your own study on Overload -- you hit Overload wrong -- man, it's nasty. And I don't know if you are impacted by that, but I am, because I live on the south side and our family is and friends are. Yeah. So -- you know, it's -- that's the concern. I mean I get development. I mean there is going to be raw land that gets developed. I get that. But I -- I just say, man, let's -- let's not tip the scale, too heavy in that direction and in a perfect world I think it should be tipped back the other way really at the end of the day.

Hoaglund: Mr. President? Just to follow up. And, Todd, I appreciate the comments and, you know, with your looking at things and as we -- if we go into the Comprehensive Plan again and do some things like that, I encourage you to be involved. You know, you bring some perspective that's good, you know, and -- and this is a situation, too, where it's -- it's already baked into the map, it's done, and there is some protection, we -- I think what makes it unique -- unique site is you got single family homes in an area that's growing up commercial. So, now how do we buffer that from this massive, you know, big box, retail type of -- this type of thing. So, I think that was the way this -- this kind of played out for this particular location, so --

Ebeling: Well, Winco would certainly be an anchor for other small businesses if it went back that way.

Hoaglund: Yeah. But I appreciate it and that's something to -- to keep your finger in and as we -- as we -- as a city we will grow, but let's try to grow it the right way. So appreciate it.

Ebeling: Thank you, Mr. President, Council Members, for your time.

Johnson: Mr. President, that's the only advance sign up. You do have some people online, as well as others in the room.

Bernt: Mr. Clerk, I don't know how Mayor Simison checks out who those people are here, but -- on my --

Johnson: Mr. President, he just lets them know they can raise their hand via the Zoom platform and/or -- or in person.

Bernt: Isn't there a way that I can check it out?

Johnson: If you see attendees at the bottom of your screen or participants and, then, the button that pops up, panelists and attendees, attendees are the guests that are here.

Bernt: I just need to switch it to the other screen. Okay. Is there anyone else in the

audience that would like to testify? All right. No one online? I don't see anyone raising their hands online. So, with that I would like the applicant to come back up and to --

Bongiorno: Sorry, Mr. President.

Bernt: Deputy Chief Bongiorno. There you are.

Bongiorno: I wasn't quick enough on the trigger. I was trying.

Bernt: That's okay.

Bongiorno: I just wanted to let Council and -- know that I support staff with requesting that Cinema Drive be added, because of what Mr. Ebeling mentioned with the amount of traffic that's already on Eagle Road, with the high school right there, with Harley Davidson, with Rudy's, all the other popular places that are in that area, just giving me another access to the apartment building through -- via Cinema. Sonya and I had some pretty long discussions about it and I support staff's recommendation to build that with this -- with the first phase. So, I just wanted to let Mr. President and the Council know that.

Bernt: Thank you, Deputy Chief.

Johnson: Mr. President, there is a hand raised now. I don't know if you are still accepting that.

Bernt: We are. Josh. Is it Josh?

Johnson: Josh. We are inviting him into the room and it will just be a few seconds while he rejoins.

Bernt: Josh, if you can hear me, if you can state your name and address for the record, please. You have three minutes when you are on.

Johnson: Mr. President, he may not have told you as he was rejoining the meeting, but, Josh, you have been recognized for three minutes.

Bernt: Mr. Clerk, is there a way that he can call in, if we could provide him a number?

Johnson: The number is on the agenda. He can call that. He is unmuted, so it appears he has audio. I'm not sure if he's unable to hear us or --

Bernt: Where did he go? Mr. Clerk, did he -- did he mute himself?

Johnson: He was muted, then, I sent a request to unmute. I am going to remove him temporarily. He will come back in as an attendee and, then, I can unmute him that way perhaps.

Bernt: Mr. Clerk, is there a way that you could put something on the screen that shows the number that -- that he can call in if he needs to? If he doesn't have the agenda in front of him.

Johnson: I can do that.

Cirelli: Can you guys hear me?

Bernt: There we go. The time is yours, Josh. You have three minutes. If you could state your name and address for the public record.

Cirelli: Okay. Thank you. Sorry about that. Having audio problems with the computer.

Bernt: No worries.

Cirelli: So, I had to call in. Josh Cirelli. 1435 Loder Place. I am one of the homes to the east. A couple concerns that I have had that I have not had definitive answers on is, A, the irrigation that runs through that lot. I have yet to see any studies or anything that we currently have water issues with the irrigation that goes through there. It actually backs up due to the elevation changes actually going through that lot. It actually spills over onto Loder Place. So, one of my issues is -- I was just wondering what the plan is for the irrigation that runs through the northeast corner that lot. I don't know if they are going to culvert it or what their -- their intentions are there. Also there was a discussion for a fence and a need for a permanent design of that fence on the east side to block off our areas to the apartment complex and have yet to see a definitive answer on that as well. Haven't seen any plans or -- or thoughts on that. Definitely concerned about the traffic light that is going to be backing up traffic to Eagle Road. Currently if you pull out there to go to Mountain View Elementary to drop off your students right now about that time or anywhere between about 3:30 to 5:00 o'clock it is a -- it's a very hard time to get -- excuse me. Mountain View High School. I was just corrected. You know, it's very hard to pull out onto that road and having another light backing up traffic right there is questionable at best on how we are going to get out there and turning left could be dang near impossible. I noticed in the ACHD form a study, it's actually talking about having a right-hand turn lane. I wasn't sure if that was definitive or if that is going to happen that pulls into Wells. But, yeah, that wasn't discussed as going to happen yet. The study thing that's going to go to a seven lane highway, that's just -- it's so far out there. People have to live here for that current period of time until Overland is widened to seven -- seven lanes, which is -- I mean almost unheard of. We barely got Eagle Road widened in the last few years. I mean, come on, Overland getting to seven lanes, I don't see it happening anytime soon -- are creeping up on ACHD is definitely list to -- to happen. Those are kind of my concerns at this moment, but I would like to hear, again, a lot about the irrigation and the fencing that's going to go in there and, then, what the traffic plan is to pull in there. Yeah. We did submit a form to our ACHD contact, I guess, for pulling out of Loder Place, because we have a lot of turnaround traffic right now trying to get to the freeway. They are telling me they didn't even know about this apartment complex. It was probably just that individual, but I'm not sure, because they have, obviously, done a study. That's all. Thank you.

Bernt: Thank you, Josh. We will have the applicant address those concerns for you, man. Any questions for the applicant -- or for Josh? Thanks, Josh. Anyone else online that would like to testify? I don't see anyone. All right. Seeing none, I will turn the time back over to Deb.

Nelson: Council President, Members of the Council, thank you. I will take up the questions and comments in the order we heard them. For the first gentleman, you know, concerned about the livability of Meridian, I guess I would offer some additional points for your consideration there that you have a housing shortage and you need more housing here and your comp plan calls for a variety of housing and so I think this -- this development really brings that forward of bringing forward a variety of housing to meet all needs in your community. It is actually staying C-G. He was concerned about, you know, rezone away from C-G and multi-family is a conditional use within that zone and as we talked about during the presentation, that residential and particularly high density residential is greatly needed in your mixed use regional designated areas where you are along arterials and at this interchange is really the ideal location to put density to where you do have the roadway network that is both existing and planned in the future be widened to serve that density and also it really helps to reduce trips. Commercial generates more trip generation than residential. So, if this were to be developed with commercial uses, that would create more trips in the immediate area, causing him probably greater concern and the -- the residents here helped take away some of those trips with people having to live further away and drive into the commercial when they live next door. So, you are able to capture some of those trips that people that are able to work and eat and shop near their homes that really takes cars off of the road. We are also located along a transit route with a nearby bus stop and as Council Member Hoaglund noted, greater density will support greater bus activity and support for that. On -- on Mr. Bongiorno's comments, you know, we understand that additional road connectivity always helps additional fire access and that's -- that road is ultimately planned there and Cinema Drive will be built there when it's needed and when that accompanying and underlying land is developed, as has always been contemplated in the 2016 development agreement and -- and proposed with the phasing here. We are just .9 miles from Station 4. So, we are well within the target range and Overland does provide the best access to our apartments through both primary and secondary access opportunities there. On the questions from Josh about irrigation -- the irrigation facility on our property will be piped and so, hopefully, that will alleviate his concerns and answer his question about what will happen to that in the northeast corner of our property. The fence that was proposed to the neighbors and the developer solicited comments from them will be a woodgrain vinyl fence, a privacy fence. The -- the signal should actually help. I think he raised concerns about getting out onto the roads. Signals create gaps and that actually benefits all of the neighboring driveways around the access point that actually has the signal and so that should actually greatly increase the safety that they experienced getting in and out of their driveway on the adjacent property. There will be a right turn lane onto Wells. That was required by ACHD and will be constructed by the developer and the -- Overland is programmed to be widened to seven lanes and -- and, understandably, that's not in the immediate future, that's a planned future improvement, but the trips for the apartments were studied with that phasing in mind and with that timeline in mind and we still were

within the levels of service and ACHD has, in fact, approved that development and the phased plan. And, finally, Council Member Borton, in response to your comments about carports, I guess we would note that the development is still going to go through design review and at that time we are certainly open to trying our best to -- in any language that you are comfortable with and the best that we can I think propose is that we will work through design review to ensure that our carports are -- have compatible architectural design with both your guidelines and the development that we are bringing forward. So, we are happy to try to mirror that, even though we don't know exactly what they would look like at that time, so -- but open to further discussion on that point. And any -- any further questions you may have for us.

Cavener: Mr. President?

Bernt: Mr. Cavener.

Cavener: Deb, if you receive approval tonight, what's the timeline? What's your proposed timeline should you receive approval tonight from now until you would welcome your first tenant? I live on -- in south Meridian and I'm well aware we have got some real significant traffic challenges over there. Some of that's being mitigated through ACHD, but I'm trying to get a sense about when your project would come online.

Morgan: Mr. Cavener, is we actually are kicking off architecture team tomorrow on approvals tonight. It takes about four to six months to run through drawings, put them in for permits, get our contractor on board to prepare them. The goal on the early side is to start in Q4 into this year, but most likely just how things go, we will be starting Q1, with our first units turning around month 13 or 14 once we break ground and, then, delivering the plans to have -- to deliver them for building for the next eight months.

Cavener: Mr. President?

Bernt: Mr. Cavener, that was 2024.

Cavener: Thank you, Mr. President. I was a political science major, not a math major.

Morgan: It's about -- about -- it's about 22 to 24 months total construction timeline, with the first units kind of coming on around month 14.

Cavener: Thanks.

Bernt: I was a communications major. We don't do very good math either. Any other questions for the applicant?

Morgan: That is barring that we can find lumber.

Bernt: No kidding.

Borton: Mr. President?

Bernt: Mr. Borton.

Borton: Just in fairness, the -- the one issue which is still unresolved is the phase one, phase two of the -- of the Cinema Drive and the staff report and findings analysis and, then, Deputy Chief Bongiorno's remarks, are pretty compelling. I assume if we have -- Winco doesn't get built, for example, phase two never goes, you never know what happens; right? Then it wouldn't get built. So, there is a variety of concerns that seemed to tip towards still requiring that access to be connected as part of phase one. Cinema Drive. As staff and our fire department recommended. So, before we break I guess is there any last comments or considerations? It just seems like the evidence tilts towards requiring that in the first phase. Just wanted to give you a chance to comment before we start walking about --

Nelson: Council Member Borton, thank you for that question. Yeah, the -- I think it's important to understand your comment was, well, what if it doesn't get built and it's needed. It's actually needed just for serving the commercial uses that would cause it and appropriately have it be built and so it doesn't -- it doesn't need to just serve the uses on the west right now. They exist now. They -- it's not needed to serve our apartments in phase one. That's been demonstrated with our traffic impact study and with ACHD's approval. Staff expressed the concern to us when we were talking about this that it's a -- it's a planning preference to have that additional avenue for connectivity and in particular for the pedestrians, which we pointed out had the sidewalk along Overland. So, the -- what -- what -- what is really needed to serve is the commercial uses. When that Winco goes in and when the retail pads develop out front along Overland, you need that access and that's why it's appropriately designed and built when that phase develops and -- and that's not going to be farmland in your city for very long. I mean the reality is that it is going to be built, but it's going to be built when it's needed and when it can be designed and so if it's -- if it's built before then, just in anticipation of those uses, it that may not be in the place that accommodates the best use of that land and the design of the commercial pads. So, I hope that addresses your particular point there. We were trying to figure out the -- when is it needed. It's not needed yet and -- and just as if -- you know, if we didn't have to come forward with the preliminary plat now, that was a later application that was determined to be necessary and if that would not be a discussion at all, you wouldn't have a reopening for that. It's -- it's an offsite improvement to the apartments. It's not needed to serve the improvements. We don't actually control the land and so it's just a function of that preliminary plat to separate out these lots. It's always been planned with the Winco and it will get built with the Winco. So, we are not changing anything. We are not changing anything and the need for it either.

Borton: Mr. President?

Bernt: Mr. Borton.

Borton: Is there -- is there information from the Winco development team on when they

anticipate moving on that parcel, both the north and the south?

Nelson: Council President, Council Member Borton, no, not immediately, although now with the preliminary plat they are subject to your code requirements for moving forward with plat timing.

Borton: Okay.

Morgan: Other than it's hard for me to build a road on someone else's property. We -- it's Winco's property and, then, if we build a road on it that's my -- a little intrusive. Plus, you know, I know that they allow that agricultural use for that land and putting in that road would cease that activity, unfortunately.

Borton: Mr. President?

Bernt: Mr. Borton.

Borton: I guess the last comment on that -- I mean it's -- it's beyond a little hard. It's impossible, is it not?

Morgan: Oh, for the --

Borton: How would you -- how would you satisfy a condition to do that if you don't control the property? Am I missing --

Nary: Mr. President, Members of the Council, Council Member Borton, from what I heard previous testimony by Ms. Nelson was that Winco was not supportive of that. So, this is a modification of an existing development agreement that they are a signator of, which means they will have to sign the modification as well. If they are not in favor, but they won't sign it, therefore, the DA won't get modified, and, therefore, the project will die -- will go away. So, you are correct, they don't have the legal ability to build it on somebody else's property. It's an off-site improvement that I have heard Ms. Nelson say more than once -- and I know what she means -- it's an off-site improvement that doesn't serve their development. So, yes, they can't build it without Winco's support and Winco, as I said, hasn't decided what the configuration of that property is going to be yet.

Hoaglund: Mr. President?

Borton: I feel I buried the lead on that a little bit, so that's -- that's the end of that discussion. Thank you.

Bernt: Mr. Hoaglund.

Hoaglund: Mr. President. And I wanted to ask staff to weigh in, since Sonya's been way too quiet over there.

Allen: Mr. Chair, Members of the Council, the property is all currently owned by Winco. The sale -- the transfer of the property won't go through until this conditional use permit is approved from what I understand.

Hoaglund: Mr. President?

Bernt: Mr. Hoaglund.

Hoaglund: Follow up with Sonya then. Is there a need for the alignment -- as we were having that discussion earlier I was thinking, boy, maybe that should be offset, does that create an issue and those types of things, because I was thinking earlier, well, there has to be alignment and that sort of thing. Now, I'm not so sure. Has staff kind of waded through that and kicked that around?

Allen: Mr. Chair, Members of the Council, I don't know that there is a whole lot of wiggle room in the location of the extension of Cinema. It does exist at the west boundary. It's -- it's actually 50 feet off the west boundary. There was, for some reason, a gap left there, but ACHD is requiring the completion of that when it is extended.

Hoaglund: Thank you, Sonya.

Allen: And their -- their approved concept plan does show the location of the road just pretty much straight across to Wells.

Strader: Mr. President?

Bernt: Ms. Strader.

Strader: Curious if the property owner or Winco is here and would like to offer up any comments. I mean I could see the argument striking both ways; right? Maybe this would be more appropriate to come together, so we would have that visibility on future traffic and this connection that staff says is needed. So, it's a beautiful project. I would hate to see it die because of this reason, but I -- I would hope that Winco had enough certainty in their plans that they could give some insight right now.

Nelson: Council President, may I respond to that -- to Council Member Strader. No, they are not present. But they did provide the letter to try to state their -- their concerns with it and their timing in it. It is that -- and they state right in the letter that they have no objection to building the road. They understand it is going to be done when their development is done. They are just asking for accommodation on the timing. They don't want the road to be built across their property before they know exactly where it will be and that both end points are known, but there is, you know, design within that of exactly where the -- which uses will be along the frontage to know where it divides the parking areas, et cetera, and so they want some time to do that with their final design plans. So, it's not an objection to the road, it is just a timing issue that they did not support it being built in phase one. They do want to continue to farm the property and to locate that road with their final

design plans.

Strader: Mr. President?

Bernt: Ms. Strader.

Strader: Yeah, I understand, but Winco has an economic interest in selling this piece of that parcel and so I guess I -- you know, I -- I would say this is in their best interest, too. I'm just surprised. It doesn't sound to me like there was a whole lot of wiggle room on where that road would go, so I'm just trying to understand that. I guess if that's the feedback, thanks.

Hoaglun: Mr. President?

Bernt: Mr. Hoaglun.

Hoaglun: Yeah. And this might be for Sonya. I'm not sure. You know, Winco had submitted a letter that's part of the record and, you know, they talk about advancing Cinema Drive extension to phase one is not necessary to serve phase one and it says until those plans are finalized of the development phase two, the actual placement of Cinema Drive is unknown and they said, you know, they have to wait to find out what the commercial parcel -- the fronting along Overland Road will be. So, I'm thinking it sounds like -- it sounds like it already is in place. We know where it's going to be, it's just not -- it said it's a timing issue of when to do it. Am I reading that correctly? That is a timing issue?

Allen: Mr. Mayor, Members of the Council -- chair -- Councilman Hoaglun, in my mind it's -- it's not -- there is not a lot of wiggle room in the placement. I believe Mr. Goins from Winco is here tonight, if you would like to get his testimony on the matter.

Bernt: Love to.

Allen: No? I thought I saw him. Excuse me.

Hoaglun: Mr. President, yeah, if he's here I would like to hear their thoughts on it. If not, then --

Bernt: Is he here? Not here.

Hoaglun: Okay. Yeah. And one of the things -- the reason I asked my question early on about the signal at -- at Wells is if that was not going to be signalized right away, then, I would think definitely you have to have that Cinema extension to -- to get out to a light to be able to exit. But that answered that question for me if it's -- before I can see the signal is operational and people move in and they have a way to -- to leave, exit, with a light, that definitely makes it, in my mind, less -- less necessary, but -- so --

Strader: Mr. President?

Bernt: Ms. Strader.

Strader: Question for staff on that. And I really appreciate Councilman Hoaglund flushing that out. Are we covered on that? Do we need -- do we need that as an additional condition or is that going to already happen if they give -- if they could give their opinion about that timing?

Allen: Council President and Council Woman Strader, I'm not sure if I understood your question right. It's currently a condition of approval in the staff report that the extension of Cinema occur with the first phase of development, instead of the second phase as proposed. The main reasons for that, again, are disbursement of traffic -- you know, you have got a lot of units there that are going out one way in and one way out. So, that would help to disperse traffic. Another reason is for the residents to be able to more directly access the commercial uses further to the west. The restaurants, the retail uses, the animal care facilities, without going out onto the arterial street and, then, having to go back in again. That's the main reason that we require cross-access in commercial developments and interconnectivity.

Strader: Mr. President. Understood. I just meant the construction of the light. Are we comfortable that that is going to happen at the appropriate time?

Allen: Yes. Yes, Council Woman Strader, it is a requirement in the development agreement that it occur prior to issuance of the first certificate of occupancy within the development.

Strader: Leave it at that. Thank you.

Bernt: One last question. What is phase one going to look like? I'm sure that you had a phasing plan on it, but I don't remember it. How many buildings were involved with phase one?

Nelson: Council President, all the buildings are in phase one and the apartments. The apartments is phase one of the plat and, then, the apartments are not individually phased.

Bernt: Got you. What's the pleasure of the Council? No additional questions? Then if that's the case, then, we can have further discussion before we close the public hearing or we can -- I'm looking for a motion to close the public hearing.

Hoaglund: Mr. President, it probably would be wise to have a discussion. There might be something that pops up that we need some further clarification on just in case, so I wouldn't mind having the discussion before we close the public hearing.

Bernt: So noted.

Cavener: Mr. President?

Bernt: Mr. Cavener.

Cavener: Did hear some testimony -- I think the gentleman's name was Josh. He had some concerns about water access -- questions about water access before the Council. It's not something that's new to us. The applicant did a -- I think a satisfactory job of explaining from their perspective, but was hoping at least Mr. Nary could give a quick brief synopsis of the Idaho water law and at least address some of the gentleman's concerns.

Nary: Sure. Mr. President, Members of the Council, Council Member Cavener. Idaho Code is very very clear on this subject matter. So, that where the delivery water occurs has to be -- has to remain. They are going to have to make sure that the water does flow through two existing users of that irrigation water. So, that's a concern that is expressed fairly often by folks and, again, the law is very clear on this subject matter. I'm sure Ms. Nelson and her clients are aware of that as well. They will have to maintain it. But she is correct that from a user standpoint, having a piped system will help -- it will be more efficient, but they do have to maintain it by law.

Hoaglun: Mr. President?

Bernt: Mr. Hoaglun.

Hoaglun: Mr. President, thank you. Just -- just for discussion purposes, you know, as I said earlier, that -- that light to me was one of the key features of -- of this development and would that extension be needed now or later. Getting out in -- from Overland Road is -- is -- you know, going to need that light and -- and to me we do want cross-access, but at the same time you have a vacant lot and that actually is part of the land and -- and we know it's going to go away someday and maybe it's going to be the last parcel of farmable land in Meridian, who knows, but it's -- it's something that I'm comfortable with -- with the project moving forward with that light at Wells, without a Cinema extension. It's a quality development. I like a lot of things about it and like you, Mr. President, contemporary farm -- or farm house sits better with me than modern craftsman. So, just one of those, you know, personal perspectives and -- and to Councilman Borton's remarks about the -- not the garages, the carports -- absolutely correct. Yeah. How those look, does it fit the development, is it a quality look to it. Doesn't necessarily have to be expensive, it just has to look quality and function well and keep that a nice looking development. So, there is -- there is a lot of things to like about it and -- and I think Ms. Nelson talked about the fact that commercial, if it was a commercial development, we know the Winco project is going to add a lot of cars to that and -- and residential, you have more peak periods, there is traffic, but it is less than a commercial throughout the day. So, I'm comfortable with a lot of the things that are proposed about this and having it move forward and -- and it's -- it's in an area where we are -- we are not talking about the fringe of Meridian, we are not pushing out a development, we are not at the far edges where there is creating more traffic out here and I think Todd rightly brings up the point, there is lots of traffic and there is situations where what can we do to alleviate and in the perfect world we would have done everything from the center moving out. We are very mindful of leapfrog development, but at the same time we have grown so rapidly -- there

has been a lot of -- a lot of development and I have supported quite a bit of that, you know, as it moves out our boundaries, but we have one that's already on a major arterial ready to go that can provide housing and potential for transportation, mass transportation, and those types of things. You know, I'm -- I'm open to Council's consideration. There might be something that might change my mind, but I'm -- I'm comfortable with it.

Strader: Mr. President?

Bernt: Ms. Strader.

Strader: I share a lot of Councilman Hoaglund's comments and I -- you know, I'm sympathetic with the traffic challenges that we are having. I don't think we want this to turn into Portland. I also don't want it to turn into Houston, you know, so I don't think we want to put apartments everywhere, but I do think we want to put them next to transportation corridors. So, this checks that box for me and the philosophy I think behind that would be people can live and work and recreate in a place that will avoid trips all the way across town. So, you know, if we have -- we don't have a ton of apartments here in this C-G area. So, I do buy into the idea that this will reduce trips compared to alternative housing types and having people drive across town. It's hard catching up. It's hard with ACHD constantly catching up to us and we are trying really hard to be really proactive as much as we can as a city to help with that. I like the apartment product itself. I like the aesthetics and I like the amount of open space, which is quite a bit compared to what we sometimes see. And I like the amount of amenities. I don't buy into the idea that 36 students will be produced by this apartment complex, but I will take that up at another time with our counterparts at West Ada and ask them about that. So, I'm in favor of this one.

Borton: Mr. President?

Bernt: Mr. Borton.

Borton: Not much more to add. I agree with my fellow Council Members and their reasoning, the logic and, quite frankly, this -- I think the conditional use multi-family in the C-G zone is -- is difficult to do and this design and style raises the bar, quite frankly. Really really attractive and well done and if we see future ones, this might have an impact on the next and the next, because there is a lot of good that comes with this one and the reasoning behind it being appropriate here has been described and it's spot on, so I, too, am supportive.

Cavener: Mr. President?

Bernt: Mr. Cavener, it's all you.

Cavener: Thank you, sir. I always hate losing good commercial ground and that's where I -- I kind of started from this particular project is, boy, if we are going to lose a good piece of commercial space in south Meridian, which we need more commercial in south Meridian, the project has got to really really be elevated and this one does. It elevates.

We were talking earlier about The Fields district and something like this out, you know, future to think in the northwest Meridian had to be a cool addition to what -- we look at design and we have talked about conceptual out there. Kind of interesting. It's different. A piece like that coming back time and time again it does, it creates community for people of all ages. I'm, for the most part, supportive of it. I -- I am wrestling a little bit with -- with the phasing and Wells. I'm not sure that I'm satisfied for striking that condition from the staff report. I wish that a representative of -- of Winco could be here to help kind of paint some of that picture, give us a little flavor. And, then, you know, just a thought potentially is to include within the DA is something to Council Member Borton's point about design or materials to create carports that are similar in nature to -- to the architectural styles of the building, something like that, recognizing that the applicant will work with staff through that, but at least have that on the record that this is kind of the direction Council is wanting to go. I'm not sure I can be supportive if we are striking that access, in part because kind of have scenarios where people who live within that neighborhood trying to access some of the commercial space that already exists, commercial retailers, so until they have that access, then, they are going to go onto Overland and double back around. So, I don't know what Council's thoughts are on that. I'm supportive of the staff report.

Bernt: I have a question for Deputy Chief. Is he still available? I think he is. There he is. There he is. Mr. Bongiorno. So, explain to me what your thought process is with -- with Cinema Drive. Does it have to do more with access? Does it have to do more with connectivity? Is there any safety issues that -- that we need to be aware of?

Bongiorno: So, Mr. President and Council, for me it's just giving me that secondary access. We have -- by code we have access into the complex. There is an emergency access on the far corner only, but, like I said, as Overland is getting busier and busier, like I said, Mr. Ebeling kind of hit it right on the head. If for some reason that intersection is packed full of cars, that gives us the opportunity to go down through Cinema, down near where, you know, Rudy's Pub is or something like -- we are going to head to the Harley dealer and then -- and, then, head west and cut across that way to get to this project, because Deb mentioned Station 4, but Station 4, unfortunately, has a very low reliability rating. So, that's something that we are working on also. So, with the low reliability rating there is a good chance that either Station 5 or Station 1 would be covering this apartment complex. So, for me it's just giving me an additional avenue to get into this complex and, then, once the full build out happens we will actually have a third all the way up near the -- the interstate, which will make it even better still. So, it's just -- it's -- it's quick access to the -- the complex for me is all I'm looking for.

Bernt: Thanks, Deputy Chief.

Cavener: Mr. President?

Cavener: Mr. Cavener.

Cavener: Thanks, Mr. President. I guess maybe just to add a little piece to that. I think that Winco project came on -- or annexed in early on maybe my first term and so I guess

if I felt like I had good confidence that that was going to be happening sometime soon I would feel better about it, but you have seen that sign Winco coming soon, come up and go down a couple times and so I'm -- I'm nervous about the when or the if behind that. Unless I had some better confidence about what that plan would be, it's hard for me to be on board to strike that condition.

Nary: Mr. President?

Bernt: Mr. Nary.

Nary: So, I just have a concern -- and I'm not totally sure from Deputy Chief Bongiorno's comments -- the current -- the current plan that they have proposed meets the code, if I understand the staff report, so having it be better is great, but requiring it to be better is a little bit more of a concern, as -- because this is an entitled property. This is not an annexation. This is a conditional use. So, yes, you can condition those things, but, as we stated, this property is an off-site improvement on somebody else's property that doesn't agree with it. So, it means they won't sign the -- they won't sign the development agreement, so it won't get built. If that's -- if that's the Council's comfort level, that's perfectly fine, but, again, if it meets the code on emergency access, it's difficult to make a case that we can require more, just because we would like more. We would always like more. But we have to be -- we have to be mindful of what the code requires and if you recall a little bit -- and I'm not here to speak on behalf of Winco, but that original project that was going to go forward was planned to go before the Linder Village and Linder Village got remanded and that got delayed and, then, the Linder Village is now under construction and is planned to be open here within the next three to six months. So, I don't know what their timing is, but I know that's what happened to their timing is because of that. But, yeah, I would have no other idea of when their plans are for that parcel.

Bernt: Mr. Nary, just to confirm, you have legal concerns in regard to not striking the Cinema Drive aspect of this project?

Nary: I do. I do for two reasons. One was the -- if -- if our only basis from the Fire Department is it would be nice to have another access, that's not a very strong basis. Secondly, it's not their property and they have no control over it and the property owner, at least to what we know as of this moment, is not in favor of it. Therefore, it won't happen. And they won't get them to build it, so the project won't get built and, again, if that's the Council's comfort, that's certainly fine.

Bongiorno: Mr. President?

Bernt: Mr. Bongiorno.

Bongiorno: Mr. President and Council -- and thank you. I like being kept on my toes, so I did pull up my codebook while you were talking and any apartment complex that has fire sprinklers on it, if there is 200 or more units, requires a secondary access.

Hoaglun: So, Mr. President?

Bongiorno: So, it is in the codebook.

Hoaglun: Mr. President, I want to ask Mr. Bongiorno a question, because I -- what I heard -- and that's what I was trying to -- to parse out as well, when I was listening was the fact that if we have Wells -- did I hear you say there already is emergency access besides --

Bongiorno: There is -- I'm sorry, Mr. President and Councilman Hoaglun, there -- one of the original plans I saw -- I would have to ask Sonya if it's still there -- on the far west corner of the property there was an emergency access. I will let -- I will defer to Sonya to see if it's still there. I haven't seen it in any of the plans I have seen up on the screen, but it may or may not be there.

Allen: Mr. President, yeah, there is one on the east actually -- east end of that site, the multi-family project, but does that meet your half the distance diagonal thing?

Bongiorno: Yeah. That's what I was trying to --

Allen: Real technical of me, sorry, but --

Bongiorno: No. You're good.

Allen: -- just trying to remind you of that -- that requirement.

Bongiorno: And I'm trying to find my report --

Bernt: It's the diagonal thing.

Bongiorno: Yeah.

Allen: Technical. Technical --

Bongiorno: So, another -- another code section, Mr. President and Council, it says that if there is two accesses to the same property they have to be at least the one half the diagonal of the property apart and --

Bernt: What does that mean in Council terms?

Bongiorno: That's what I'm trying to find out in Council terms, if it meets it or not. I apologize for the delay here.

Hoaglun: And, Mr. President, I would like to hear from the applicant if that's a question they can -- they can respond to.

Bernt: Sure. Wait for Mr. Bongiorno. I'm interested to see this tug of war of staff.

Bongiorno: Nothing like being put on the spot. Sonya, is that in the 2021 applications or 2020?

Allen: 2021 is what the conditional use permit is under. It's under Seasons at Meridian.

Bongiorno: Okay. Thank you. There it is. I found it.

Bernt: I tell you what, how about we take a five minute break and let -- let staff figure out what we are talking about here and we will regroup in five minutes.

Bongiorno: Perfect. Thank you, Mr. Bernt.

(Recess: 8:20 p.m. to 8:27 p.m.)

Bernt: All right. So, we are back. Whether you like it or not here we are. Any thoughts on what that -- that access looks like and what that road looks like?

Bongiorno: Mr. President and Council, doing my quick unofficial throwing the rules around on the monitor thing, they do meet the -- half the diagonal rule. So, we are okay there. Again, I know one of the things that -- and, again, I'm not trying to justify anything, I'm just telling you the facts of the matter. One of the things that Mr. Parsons and I have been working on with all of these developers is trying to get different accesses off the same -- that aren't on the same road. So, in this case both accesses will be coming off of Overland. If Overland is backed up, then, we have no other access to the property. So, the goal of having that other access now allows us to where we can at least go down to Millennium, curve in and get in that way if we had to. So, again, it's just -- it's -- it's another -- I call it a real access. Yes, emergency accesses can be utilized, but they take time and, again, it's -- we are looking for that straight shot incident that we can get in there. So, that's why I popped in earlier and said that I supported that request, because it will help the Fire Department with our response times into this project.

Bernt: Got it.

Bongiorno: Thank you.

Bernt: Thank you, Deputy Chief. Before we have the applicant come back and -- and speak, I know that -- I see that there is a hand up in the attendees, Mr. Marc Burchtorf. Do you see that, Mr. Clerk?

Johnson: Yes. Would you like to -- you have had the applicant close.

Bernt: Right. We can -- I think it would be wise to have him -- if he wants to say something have him be able to do so.

Johnson: Okay. He should be rejoining the meeting momentarily with access to his microphone.

Bernt: Marc, when you have access -- can you hear us?

Burchtorf: I believe so.

Bernt: Okay. If you can state your name and address for the record you have three minutes.

Burchtorf: My name is Marc Burchtorf. My address is 1476 Loder Place, located just to the east of the development. You guys have been talking about an emergency access road on the east side of the apartment complex. Where exactly would that be accessed from Overland? Because all the east side property is residential currently. Also I think a contributing factor would be the amount of distance between Overland with the length of Wells Avenue to just be going into the apartment complex with the amount of vehicles that are going to be in that apartment complex leaving morning, mid afternoon, whatever, with the limited amount of length there to get into the apartment complex will create quite the congestion and traffic. So, I think having that extension prior to people moving in there, giving them another entrance and exit, as well as another entrance and exit, if there is an emergency, or I would at least like to see where the access point is to the emergency exit on the east side of the development if at all possible. Thank you.

Bernt: Thanks, Marc. Yeah. We had the same question, too. All right. So, looking at this -- at this diagram, this picture of what's on the screen, where exactly is that emergency access at?

Hoaglun: Mr. President? Sonya, are you controlling the mouse there where that right-hand image and you got the cursor down at the lower right side?

Bongiorno: Yeah. It's -- it's that lower right corner where Councilman Hoaglun mentioned. Of the right photo. Either one of them.

Bernt: Since we gave someone from the audience a chance to speak, I will let the applicant have the last word.

Nelson: Council President, Members of the Council, thank you. Just a couple of quick facts that I think are appropriate to respond to the new commenter and also Mr. Bongiorno. That as you just noted, the emergency access is in that far southeast corner along Overland. I think it's also important to understand the dynamics of where Station No. 4, our closest fire station, is. It is east of the site just down Eagle Road and so fire trucks traveling from Station No. 4 will go north on Eagle, turn left onto Overland. The closest access to the apartments will be this emergency access and so they -- to go further to the signal is not necessary. To go even further out to the -- a connection to Cinema Drive to take you further around is also not necessary and we -- it doesn't mean we, you know, don't appreciate Mr. Bongiorno's comments that you could be served from multiple fire stations and that more connectivity into any site provides great access. I think it's -- it's also important to point out the distance between our signal and where you could connect at Cinema Drive. We are talking about .2 miles. So, the additional space

that we are gaining for road connectivity, an additional access point, is very limited and primarily the access is going to be coming from that Station 4.

Bernt: I think what Mr. Bongiorno was -- was trying to -- I totally agree with you, Deb. I think what Mr. Bongiorno was trying to say is that Station No. 4 has a reliability rate that's lower because of other reasons -- extenuating reasons and so I think he was saying that the likelihood of Station 4 coming to this project would be lower, as opposed to six or one.

Nelson: And, Council President, I understand that. It does have a reliability of 78 percent, which is nearly to your 80 percent and it sounds like they are working on that there. It would still be the first designated spot for response, it just may not be available if they are out on other calls and -- but they -- that -- that they do have those two points. The location of the access was actually moved in our early discussions with fire for their desired location of this and so appreciate Mr. Bongiorno's comments about meeting the -- the access spacing. That was his desire.

Bernt: Thanks, Deb. Any questions for Deb?

Nelson: Thank you.

Bernt: Thank you.

Hoaglund: Mr. President, I do have a question for Mr. Nary.

Bernt: Okay.

Hoaglund: I do understand, Bill, that we will be acting on each of these individually, these applications individually, but I was kind of curious about -- for the carports putting some language in there that as part of the design review process or represent the style of development, whatever we come up with, that I would believe would be under the DA agreement -- the first one; is that correct? To put that -- as well as the removal of item No. 3-C. Is that under the first -- 0118 or would that be part of the second or do we have to do it for both?

Nary: Mr. President, maybe if I could Sonya -- the 3-C provision is in the CUP or in the DA modification? Because I don't have it up in front of me.

Allen: 3-C is a preliminary plat condition. The carports could be under the new development agreement --

Nary: Or it could be a condition under the CUP.

Allen: It could be either way. Yes.

Nary: And I -- and I don't know if there are design review standards that already exists that would already answer that question. I don't know that.

Allen: Yeah. If you have specific thoughts in mind, please, state them in the motion so far as what you want the carports to look like, if they differ from design standards. That's typically not something we -- we do, so give us direction if you want something different.

Borton: Mr. President?

Bernt: Mr. Borton.

Borton: If the applicant's remarks captured it that the design will integrate the colors and style of the buildings that are also part of the presentation and -- so, they will be compliant with the design guidelines, but also with an emphasis to match the style and color and texture and --

Allen: I missed those elevations, so I wasn't sure if they had a different roof form or materials than the separate -- than the normal carports or --

Borton: It wasn't an elevation specifically as a carport, but there was just reference to the commitment to not only meet the design guidelines, but to also ensure that their design matches and blends with the style of the structures themselves.

Allen: Okay.

Hoaglund: It would represent the style, Mr. President, of the development.

Bernt: Any other discussion before we close the public hearing? Hearing none, let's -- I would welcome a motion.

Hoaglund: Mr. President, I move we close the public hearing for H-2020-0118.

Borton: Second.

Bernt: Do we have to close the public hearing for the other one as well?

Hoaglund: And Mr. Mayor -- or, Mr. President, I move that we close the public hearing for H-2021-0007.

Borton: Second.

Bernt: I have a motion to close the public hearings for item two and three. All in favor, signify by saying aye. Any nay by the same sign? Motion passes.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Hoaglund: So, Mr. President, Mr. Nary, I can move to approve both files at the same time?

Nary: As long as it's clear that one is the development agreement, whatever modifications

you want on that and it's clear what conditions, if any, you are going to put on the CUP.

Hoaglund: Okay.

Allen: Mr. President, excuse me. If I could interject real quick. There was some significant testimony on the type of fencing that was offered by the applicant along the east boundary of the site and that was in response to some of the neighbors' comments at the Commission hearing that that be identified. The applicant offered -- I believe it was six foot tall woodgrain vinyl fence along the eastern boundary. So, if the Council agrees with that, please, include that in your motion. Thank you.

Hoaglund: And, Mr. President, I might ask Sonya -- at which -- which -- which particular file do I include that under? Is that under --

Allen: Conditional use permit, please. Seasons at Meridian.

Hoaglund: Okay. Mr. President?

Bernt: Mr. Hoaglund.

Hoaglund: After considering all staff, applicant, and public testimony, I move to approve file numbers H-2020-0118 and H-2021-0007 as presented in the staff report for the hearing date of May 4th, 2021, with the following modifications: Under File Number H-2020-0118 that we would have that pass as is and under file number H-2021-0007 under the conditional use permit, that the fencing be as the applicant stated, a fence six foot woodgrain vinyl and under Item B of the preliminary plat, that we remove item number 3-C from the conditions.

Borton: Second agrees to for discussion.

Bernt: I have a motion to approve H-202-0118 and H-2021-0007 with changes that were made in Councilman Hoaglund's motion. Any discussion?

Borton: Mr. President?

Bernt: Mr. Borton.

Borton: I think the motion maker for the preliminary plat portion -- I think the A-3-C condition doesn't get stricken, but instead of requiring the Cinema Drive connection to occur in phase one, it would, instead, be required in phase two. If there is still a condition, but the phase is two instead of one.

Hoaglund: Mr. President, I would agree to add that to the motion. That makes sense, that it's part of phase two or not phase one.

Bernt: Does the second agree?

Borton: Mr. President, one other clarifying on the motion. The reference that we have had with regards to the carport and their design and the applicant's representations that that be integrated into the motion for approval of the -- the CUP.

Bernt: Motion maker agree?

Hoaglund: Mr. President, I agree with that. We can add that language that carports should represent the style of development and be reviewed by staff as part of the design review process.

Bernt: Does the second agree to that?

Borton: Yes. Thank you.

Bernt: My pleasure. Any discussion in regards to the motion? Hearing none, Mr. Clerk, call the roll.

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

Bernt: Motion passes.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

FUTURE MEETING TOPICS

Bernt: Next on the agenda is future meeting topics. None -- none being said, last item on the agenda is -- is adjourn.

Hoaglund: Mr. President, I move that we adjourn.

Cavener: Second.

Bernt: Motion is that we adjourn. All in favor say aye.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Bernt: We are adjourned.

MEETING ADJOURNED AT 8:44 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

COUNCIL PRESIDENT TREG BERNT
ATTEST:

DATE APPROVED

CHRIS JOHNSON - CITY CLERK