

A Meeting of the Meridian City Council was called to order at 6:00 p.m. Tuesday, December 17, 2024, by Mayor Robert Simison.

Members Present: Robert Simison, Luke Cavener, Liz Strader, John Overton, Doug Taylor, Anne Little Roberts and Brian Whitlock.

Other Present: Chris Johnson, Bill Nary, Bill Parsons, Sonya Allen, Linda Ritter, Trace Basterrechea, Steve Taulbee, Kyle Radek and Dean Willis.

**ROLL-CALL ATTENDANCE**

<input checked="" type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Brian Whitlock
<input checked="" type="checkbox"/> Anne Little Roberts	<input checked="" type="checkbox"/> John Overton
<input checked="" type="checkbox"/> Doug Taylor	<input checked="" type="checkbox"/> Luke Cavener
<input checked="" type="checkbox"/> Mayor Robert E. Simison	

Simison: Council, we will call this meeting to order. For the record it is December 17th, 2024, at 6:00 p.m. We will begin tonight's regular City Council meeting with roll call attendance.

**PLEDGE OF ALLEGIANCE**

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

(Pledge of Allegiance recited.)

**COMMUNITY INVOCATION**

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

Hanke: Mr. Mayor, Members of the City Council, thank you for allowing me to come here and pray for you. Merry Christmas to you all.

Simison: Merry Christmas, Vinnie.

Hanke: Thank you. Let's pray. God, we thank you for this evening. We thank you for the City of Meridian. We thank you for all those who serve it, Father, here at the City Council. We ask tonight that you would grant them wisdom, discernment, you would help them to listen to the citizens' concerns and proposals before them well and that ultimately they would make decisions that would glorify you. We ask that the peace and light and hope of Christmas would not just rule in our hearts tonight and in the season,

but you would allow Meridian to be a bastion of that hope and love and light. I ask these things in the name of Jesus, amen. Thank you, Mr. Mayor.

## **ADOPTION OF AGENDA**

Simison: Thank you. Okay. Up next is adoption of the agenda.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: No change in tonight's agenda, so I move we adopt the agenda as presented.

Strader: Second.

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

MOTION CARRIED: ALL AYES.

## **PUBLIC FORUM – Future Meeting Topics**

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

Johnson: Mr. Mayor, there are none.

## **ACTION ITEMS**

1. **Public Hearing continued from November 12, 2024 for Timbercreek Recycling (H-2024-0032) by Engineering Solutions, LLP., generally located at the NW corner of S. Locust Grove Rd. and E. Columbia Rd.**
  - A. Request: Modified Development Agreement to the existing development agreement (H-2018-0042), Inst. #2019-053058) to further clarify the current and future permitted uses and timelines, create guidelines to allow for efficient and continued use of the property, and ensure the operation is meeting all State and Federal guidelines.

Simison: Okay. Then with that we will move right into our Action Items for this evening. First item up is item -- is a public hearing continued from November 12th, 2024, for Timbercreek Recycling, H-2024-0032. We will continue this public hearing with any comments from staff.

Allen: Thank you, Mr. Mayor, Members of the Council. Give me just a moment here. Alrighty. This project was last heard by Council on November 12th and continued to tonight's hearing in order for the applicant to come back with a revised development agreement with a six month shorter timeline that includes a revised phase transition plan to cease all operations by June 30th, 2027, and I do have a copy of that here. I have noted the changes to the plan in red here. They also included a list of materials to be accepted for recycling and a requirement for the applicant to post a sign on the property along the adjacent public streets notifying the public when operations will cease on the site. An amended development agreement has been submitted that addresses these items. Draft findings for approval have been prepared by the City Attorney's Office for consideration by Council tonight. If the Council chooses to move forward with the application and -- and -- and approve the application the final version of the finding should be scheduled for the next Council hearing on January 7th. The public hearing was left open in order to accept public testimony on the new information that's presented at tonight's hearing. The applicant is here tonight to present. Thank you.

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

Lakey: Okay. Mr. Mayor, Members of the Council, Caleb Lakey, 16933 Northside Boulevard, Nampa, Idaho. A pleasure to be with you again. Be back to talk about our progress on our -- our application, our request to you tonight. I just have a couple brief updates for you and will certainly stand for any questions. So, notable update since our last meeting, we did update our DA to reflect the timing as requested by the Council. The materials list that was requested and the signage, you can see them in what you have in your packet. I also wanted to point out to Council Members and the Mayor that we had our regular annual Tier 2 inspection with Central District Health on the 19th of November. We have no follow-up actions from that inspection. We diverted -- this is a big note for you. We diverted over 2,200 tons of cheese whey WAS to our Nampa site from the Meridian site. That's 47.8 percent -- almost 48 percent. I will remind you that in our transition plan we committed to 25 percent by the end of Q4, so we have accelerated that. We were able to do that because there was some availability on the pad that we didn't anticipate. We took advantage of that and we moved as much cheese as we could away from Meridian. To be clear we -- we can't guarantee we can continue that percentage moving forward. We are committed to the end of next year having the 50 percent, like we are talking about, but we just wanted to highlight that we are able to take more than we anticipated in Q4 and to -- to meet that commitment to you and moving forward from there. Closely tied to that is the Sorrento cheese plant. We continue to work closely with them. They are working on pricing and sourcing of two machines from Sigma Equipment for adding the lime. I talked about last time the addition of lime to neutralize some of the odor. They had a hopper and they -- they tried installing it, it didn't work right. So, now they are looking for these other machines to -- to do that. But they -- they have also made some production changes. They were experimenting on what else they could do to possibly negate this on site just in their own process. In addition to the -- the lime addition. They have ordered two pallets of lime on site. That's almost 3,000 pounds of -- of lime available ready to go as soon as

the -- the machinery is on site and, interesting, they on their own conducted their own bucket test. You might recall last time I described to you just our simplistic way of grabbing a sample of the WAS, we added a little bit of lime by weight and did this simple smell test. They heard us give that presentation, recreated it on their own and -- and their reports to me were, hey, we are seeing the same type of -- of change; right? Again, it's not eliminating the odor, but we are seeing a modification of the odor, which is our goal and objective. So, they remain committed to doing this with us. They are anxious to do it. You know, they -- they don't want to create any problem with it and so as soon as we get the sourcing figured out we will move forward with a full -- a full load test if you will and incorporate that into our compost and as we committed to in our transition plan the next phase of that is then to monitor it through the compost process, which is about a 90 day process to ensure we get a usable product out the backside. Most concerned about pH levels, because it's pushing it up to a point where it's kind of on that tipping point, we want to make sure we can keep it there and -- and not negatively impact our usable product on the backside. But that's still -- still where we are headed and still our focus. A couple of the notable updates for you. We committed last time that by November 1st would be our last -- we would -- as of November 1st we would receive no more concrete, tile, porcelain or asphalt. That has continued. Your code enforcement officers have been on site twice to verify that. They can certainly speak to that on -- on their own if they would like, but -- but we have committed to that and continue to commit to that. We also did this month last time and we have done -- we were doing them before, but I didn't enumerate it. So, we have done 16 -- what I called proactive documented odor inspections. So, we had a routine of weekly doing odor inspections on our own to monitor for odor aside from any sort of odor complaint or odor issues, in addition to some just impromptu staff doing after hours and before they go home at night drive arounds. But I have 16 documented odor inspections on a weekly basis or additional ones that we have done since our last meeting. Something that came up after our -- our last meeting is that we -- as a Tier 2 facility there actually is a formal closure plan required by DEQ and Central District Health. That plan must be in place six months prior to vacation of the site and must be submitted at least three months prior to that six month deadline and so we are well ahead of that. We went ahead and started drafting it. We have opened conversations with the regulatory agencies and you can see in our transition plan we intend to have that, you know, final draft. We can't final final until we are in that -- that time frame, but have that final draft ready to go, hashed out, just pending final details ready to go when we get to the end of 2026. So, that would be basically an October of 2026 deadline to facilitate the mid 2027 exit plan. We also moved one of our full-time operators out of our Meridian site. He is one of the operators we had trained on handling the cheese whey WAS specifically. We moved him to our Nampa site full time and we moved -- moved him on to a modified -- modified shift scheduled to where he now works through the weekend, so that we can facilitate the acceptance of the cheese whey WAS which is one of our commitments on the weekends from the plant in Nampa. So, I wanted to point that out to you as well. Additionally, we purchased a new compost turner. We haven't talked a lot about this. We actually purchased this out of Austria from another composting consultant there that manufacturers them. The point being that this is a smaller turner. We use turners in Meridian. It helps facilitate the mixing of the -- the cheese and the other particles, the

other feedstocks we use and we see a better product. This is something we did to help mitigate odor in the beginning and so we wanted to facilitate that in Nampa as well. So, we purchased that turner. It was shipped over, arrived and assembled, and should be commissioned here shortly, we just need to get it transported over to the Nampa site. And, then, lastly, we did contact the landscape company about some berm maintenance at the Meridian site. That came up as well. And we did some clean-up out there as well since our last time together. Those are our highlights, Mr. Mayor, Council Members. I -- I do have snips that as -- as Sonya showed you. I know you have a copy of the transition plan in front of you as well. Certainly available to answer any questions there you would like later, but I think I will -- I will stop there for now.

Simison: Thank you, Caleb. Council, questions for the applicant? Okay. Thank you very much. Okay. This is a public hearing, so we will accept testimony on the information that was provided this evening. Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, yes. First is Vicki Reynolds.

Simison: Okay. And I will ask people to limit their comments just to what was discussed this evening for the purpose of your comments.

Reynolds: Mr. Mayor and Council Members, I'm not quite sure what that means.

Simison: It means please direct your comments towards the new information that was provided about the plan and not necessarily about the current operational things that were discussed in previous meetings.

Reynolds: Okay. All right. I guess my -- in relation to what has been discussed for this evening, my concern is with the date and with the timing of everything. I understand that Timbercreek has made a plan for 2027. We made a plan before for previous times and I guess I'm saying what makes us think it's going to happen in 2027. The -- a lot of this stuff has been -- that he discussed was prohibited in the original plan back several years and I am concerned about their dedication to making this happen and I guess that's the bottom line. So, thank you.

Simison: All right. Council, any questions? Thank you.

Reynolds: Okay. Thank you.

Johnson: Mr. Mayor, next is Troy Allen. Sonya is bringing up your presentation for you.

T.Allen: Say again.

Johnson: I think you had a presentation. Sonya is bringing it up.

T.Allen: No, I don't.

Johnson: Oh, you do not. Okay. Sorry.

T.Allen: Mayor and Council Members, I appreciate your time and I think on tonight the -- the one thing -- if you look up cheese whey WAS that's not a thing. So, it's WAS and that's all it is. It's Waste Activated Sludge. So, there is -- you can Google it. You can check everything. That doesn't exist. So, they would like it to sound like it's cheese whey. So, I believe that Timbercreek has been -- has not been adhering to their original agreement and I don't think the City of Meridian has been holding them accountable and I think if you guys vote tonight on changing this to nearly the sunset clause that's already in there, we are only two years away from that, you are now approving an item WAS that was never approved to be taken there. So, now you are even upping the -- I guess wrong that was made in the beginning in my opinion, because he has been doing that for so long and now you guys are saying, oh, well now we will even say WAS is okay. So, I would like to see you guys not change anything and just let's go with when the occupancy goes. I think the 2027 is too long.

Simison: Council, any questions? Thank you.

T.Allen: Okay. Thank you.

Johnson: Mr. Mayor, next is Laren Bailey.

Bailey: My name is Laren Bailey. Address 4824 West Fairview Avenue, Boise, Idaho. Good evening, Council and Mayor. I'm here tonight to represent BlackRock Homes and Devco Development. I appreciate the opportunity to speak with you on this important matter tonight. BlackRock Homes and Devco Development have made a significant investment in purchasing and developing land adjacent to this facility. In doing so there was clear understanding that the existing 2019 DA mandated the end of operations for the facilities once occupancy permits were issued within a thousand feet. This condition was pivotal in our decision to invest, offering vital assurances about the future compatibility of the surrounding land uses. The city approval of the 2019 DA was both thoughtful and deliberate, balancing the needs of all the stakeholders. We relied on the certainty of that agreement in good faith. We were initially open to considering certain modifications to the development agreement. However, after reviewing the testimony presented during the first two hearings and tonight we have carefully evaluated the proposed changes to the DA and we have reassessed our position and no longer support the modifications. The 2019 DA was carefully developed through a comprehensive process that included public input, legal review and public hearings. The applicant willingly entered into this agreement fully aware the operations would cease upon occupation within a thousand feet. That balance in the equitable decision should be intact. Let me also emphasize the city gave formal approval to the Hadler Subdivision preliminary plat December 22nd or in December of 2022. So, it was two years ago. At that time the applicant was put on notice that they would have approximately two years to prepare for the transition of their operations. With unavoidable delays in the development of the Hadler Subdivision, now extending this period close to three years, there is no reasonable basis for extending further

modifications. In closing I respectfully request that the Council enforce the existing development agreement. Upholding the 2019 DA protects the investments and rights of the neighboring property owners, maintains the integrity of the city processes and demonstrates fairness to all parties involved. Thank you for hearing us tonight.

Simison: Thank you. Council, any questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mr. Bailey, thanks for -- for being here tonight. Help me understand what caused the change. I think a lot of the continuance was based on one of your colleagues kind of discussion about dates and times and so I think the Council gave that thoughtful consideration and hence we continued. So, help me understand what -- what's changed since our last meeting that has caused your applicant -- or your -- your employer to change their -- their position?

Bailey: Well, I think the biggest issue is we feel like it's still a moving target. We are not -- I mean we have got this plan, but it keeps changing. It changed again and, then, I -- I know there is some verification that some things are happening, but we feel like there is not enough verification that things are happening that are supposed to be and haven't been in the past. I -- I get that they are trying to get something done right now, so, of course, they are going to report back that they have done everything they are supposed to in the last two months, but we just don't feel like there is any -- any side boards that are going to hold them to that long term.

Cavener: Okay. Thank you.

Bailey: Thanks.

Simison: Thank you.

Johnson: Mr. Mayor, that was everyone.

Simison: Okay. Is there anybody else present that would like to provide testimony on this item? If you are online you can use the raise your hand feature if you would like to provide testimony. Seeing no one raising their hand or coming forward, would the applicant like to come and close.

Lakey: Mr. Mayor, Members of the Council, we -- we continue to stand by our transition plan. We have -- we have drafted this in coordination with -- with your feedback and our understanding of what the comments have been previously. So, we -- we continue to feel like with the plan we are proposing to you is our -- our best effort to meld all that together in a reasonable time frame to responsibly and professionally transition out of the site. We have -- we have shown a lot of good faith effort in doing that. You know, I

appreciate the comment that there has been this foresight of what's coming, but that, too, has been a shifting target and has experienced its own delays, which, you know, puts us in a -- in a limbo position now. We are -- we are committed to a hard time frame. We have -- we have put checkmarks in our plan. Milestones. We have already met twice with your code enforcement officers and we have put that in our plan to continue to have those checkpoints with your code enforcement officers. We are happy to be transparent on all of that. And, as I have said before and I will continue to say, we -- we recognize that what we are doing is not forward compatible with your long term plan for the city. We are -- we are not fighting that. We are -- we are -- we have built a new place and we are transitioning to there. We have provided you with our plan of how we want to do that and would ask for your thoughtful consideration of what we are asking for tonight. So, thank you.

Simison: Thank you. Council, any additional questions for the applicant at this moment?

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: Mr. Mayor and Mr. Lakey, last time we were here you were asking for the end of 2027 and you have come six months into 2027. There was some indication that possibly the request before was an April 1st hard stop. So, you have come six months this direction and there was some indication that there might be a willingness to move a couple of months out from -- from the developers. Have you had any conversations since that last meeting with the developers on the timeline?

Lakey: Mr. Mayor, Mr. Councilman, no, we have not had -- we -- we had -- via our attorney some correspondence on the signage, which we left this last meeting as that was a stipulation and we had agreed upon a compromise of -- of June and before tonight I wasn't aware there was a conflict in the support. So, no, we have not had additional conversation on that topic.

Whitlock: Thank you.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Just a quick follow up on that, Mr. Lakey. I believe I made the suggestion in the last meeting about the April date and it was presented at that time that because of the temperature that you needed the extension of three more months to effectively finish it out and that's when we left here last time with the 30th date. Had more to do with the temperature and shutting the business down, more than setting a date too early for you to accomplish that task; is that correct?



Lakey: Mr. Mayor and Councilman, that's exactly correct. Just as an example, if I may, we had a lot of precipitation over the weekend. We sent operators home today. Didn't have them come in because of just how muddy the facility can get. You know, running heavy equipment you can't operate, it -- it destroys it. So, we did point that out last time that, hey, April's -- you know, maybe it will be dry, maybe it won't, but we asked for the end of June to ensure we have some dry weather, in the same way that for our crushing we said Q1 to give us some ability to maneuver around if we have sub -- you know, solid freezing temperatures we can't run the dust control, for example, on the machine. So, that gives us some ability to -- to find -- we are confident we can find a time frame in there to do that, just like with the final close out.

Overton: Thank you.

Simison: Okay. Thank you, Caleb.

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor, at this time would it be appropriate to hear from our officers that have been out to the plant?

Ooi: I accept that as an invite. Good evening, Mayor and Members of the Council. On December 12th Code Enforcement Officer Krystal Gieson and I met with Caleb Lakey at Timbercreek regarding their proposed transition plan for the phase one quarter four. Our findings do show that the Nampa site received 47 percent of the cheese whey product, with 25 percent being the goal of phase one. That was delivered between October and December. The transition plan also states that the Meridian site would stop receiving regular deliveries on the weekends. During that same period the Nampa site did receive every delivery that occurred on a weekend and no concrete or asphalt was received during that same time period. So, all of those phase -- phase one goals have been met for their transition plan that they don't have to currently follow, but are. And I will stand for any other questions.

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor, Lacy, thank you very much. So, are you on a regular -- kind of regular schedule to check on it or how will this proceed? I know this is a lot of extra work for you, but it is greatly appreciated.

Ooi: We do have the next two inspections -- quarterly inspections scheduled. So, I think March and June. Sorry. My quarters -- my months. But we do have those scheduled and we will go out there and inspect. The transition plan does give us that ability to have some enforcement and compliance, but the current DA doesn't give us as

much authority. So, we have tracking and mechanisms to be able to quantify that based on the transition plan and without the transition plan being adopted and the development agreement we will go back to it being a civil agreement with the city with the nuisance requirements. One of the other things that I have a concern from just hearing the conversation tonight is if the business stops operating that material is still going to be allowed there based on the agricultural exemption that's in the DA right now. So, the material is still going to have to be there, be hauled away after transition of their business closing. So, I just -- I -- I really do think that a transition plan needs to be part of this development agreement.

Little Roberts: Thank you, Lacy.

Simison: And the applicant will have a final word based upon that if you feel it's necessary to come back up at any point in time just identify. Okay.

Overton: Mr. Mayor?

Simison: Councilman Overton. Was that -- Councilman Overton.

Overton: I would like to make some comments, but leave it up to the rest of my Council if we should close the public hearing or keep it open through these comments.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Typically if we close the public hearing on big applications like this we inevitably reopen them back up, so I think, Council Member Overton, if you have got comments and that way if a question pops up it gives us a little bit more flexibility.

Overton: Thank you. Mr. Mayor, with that I would move that we close the public hearing.

Simison: Motion to close the public hearing. Is there a second?

Cavener: Second.

Simison: Motion and second to close the public hearing. All in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: ALL AYES.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: I would like to move first on comments as I was really the one that kind of made this happen this evening, moving it from last time we had our meeting, and at that time -- a little history on this whole thing. Over half this Council was not present when the original agreement was made that showed a 2029 date. So, we are coming into this with how best do we shut this down, give it a runway, let them complete their business in such a fashion that works for them, works best for the developments that are coming in. The idea of the date that we came up with with June 30th of 2027 with all of the provisions that they have put into place on when certain aspects of this process will shut down was really to me a very good faith effort as they brought this forward. It's exactly what we asked you to do. I understood the date of June 30th and why we went from the original date I thought of of April was because of the timing due to weather and how we had to deal with that weather. I think we have done a pretty fantastic job in coming to the conclusions we are at tonight and what we have in front of us tonight. We have to remember that there is three agencies, Meridian Code Enforcement, Central District Health and Idaho DEQ, all of which -- and this kind of causes some confusion at the very beginning. All of these agencies lead with compliance based enforcement. That's how they work. So, initially when we were looking at them being in trouble for violations, those were just compliance efforts. They met. No formal violations were ever written, whether it was our Meridian code enforcement, Central District Health or IDEQ. But all three of those agencies, if there is a violation that is not taken care of, have full abilities to write formal complaints and take those forward and I mean formal being the ones that would end up in a court process as a formal complaint. What we do with our code enforcement all the time when people do not come into compliance. So, there are still those three agencies behind this agreement that would ensure that this stays in compliance as we move forward. The idea of this date of June 30th of 2027 in my mind, as the one who made the initial motion, was that nobody gets everything they wanted. We forced the applicants to shorten the time length -- timeline even further to be as -- as aggressive as they can to shut down the business in Meridian as we are developing to the south and try to move that product as quick as they can to Nampa. I think they have done a great job. It will never make everyone happy. We had development representatives that were in agreement with that when we left last time. I know some of the neighbors who really want this shut down sooner and I understand it. But I think coming up with a June 30th, 2027, is far better. It's two and a half years better than 2029, whatever the original agreement was, plus the facts that we had to look at things that could happen even if an occupancy permit is issued within a thousand feet and they had the ability to, then, move their recycling services, so it would still remain outside of that thousand feet. We don't want to have these type of games played. We want to make sure we are dealing straight up on the surface, everybody knows what's going on, no one's trying to pull a fast one on anybody else. We are just trying to find the quickest, easiest runway to end this process, end it successfully. You guys do an amazing job on keeping tons of waste out of our landfills and that cannot be unstated. You know, we -- we talk about what you do, but the bonus -- the advantages you do for the community -- that everyone else benefits from -- is tremendous. And I want to just make sure I got that on the record. I'm in favor of this. This is literally what I was hoping for would be in front of us this evening.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I won't -- I think in the last public hearing I made quite a few comments that just sort of explained where I was coming from. I -- I'm in support of the compromise. I'm in support of seeking a transition plan. I just felt like a higher touch was needed by the Council in terms of frequency of oversight and, again, I was more in favor of a continuance for six months for the applicant to demonstrate compliance with their plan. So, I haven't changed my mind. That's where I'm coming from. I just wanted to explain on the record so people understand why I'm voting the way that I am. Thank you.

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor, I would just like to put on the record that I concur with Councilman Overton. I think he summarized that so well. I don't believe I have anything to add. I appreciate that -- the work that they have gone through to have a concise plan for us that we can follow and have our code enforcement being able to monitor that and have some actions if things aren't being followed. I appreciate the willingness for them to be so confident that they can get this done, that we can monitor it and there are some penalties if it doesn't happen. So, I concur and will be supporting this.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: First just want to make note, I -- due to scheduling I missed the two previous meetings in person, but I have watched all of the meetings online and reviewed all the material, so I'm comfortable casting a vote on this tonight. I just want to -- what I keep thinking about is the word responsible and it seems like there has been a good faith effort to find a -- kind of a common ground here where trying to satisfy the various needs and they are very potent and powerful on -- on both sides of the argument. I certainly can understand that. Where I come down is I -- these materials have to be dealt with and I feel like there is -- I appreciate the plan and the detail. Similar to Councilman Overton when I saw what was proposed in the most recent updates I felt like there was a really good faith effort to hear the feedback from Planning and Zoning, from City Council and to the best of their abilities all the -- those that provided some testimony. So, I think I'm going to be supportive of this tonight, because I think the fact is we have some materials that have to be dealt with. They are not easy. It's complicated. These are hard. We are talking large scale equipment. The fact that weather has a direct impact on their operations is a reality we have to -- we have to understand and deal with. So, I do appreciate all the comments and I appreciate the

efforts. I think -- I think the date that we found of June for a shutdown -- I thought that was a really -- a good kind of compromise, the fact that the applicant -- or Timbercreek is trying to meet that mark is helpful and I appreciate the city and code enforcement -- I appreciate your update and your -- your testimony that a transition plan is important, because I do think that's important and I was happy to see that there was a fairly detailed transition plan here. So, I will be supporting this tonight.

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: Let me just key in on two words that Councilman Taylor referenced. Good faith. We have had long hearings and conversations and discussions. We have thrown out ideas. Some have taken, some haven't, but I think in good faith the applicant has come back with a development agreement that -- the applicant has come back with a proposed development agreement that I think was done in good faith based on our input, based on the needs of the public and, frankly, there is -- there is nothing that would preclude the applicant from concluding their operations prior to June 30th. If the weather is good, if they can accelerate and outperform like they have in this fourth quarter on some of the voluntary efforts that they are doing, there is nothing that says they -- they won't be done by April 1st of 2027. I believe in good faith they are going to try to do that and so similar to what some of my fellow Council Members have said, I'm -- I'm willing to support this project moving forward, because I think there has been a demonstration of a willingness to move and a willingness to accept the input from this Council and a willingness to do what they possibly can -- the most that they possibly can to meet the city's goals and needs, to meet the other developers the neighbors and their needs and I think they have demonstrated good faith in doing that. So, I will be in support of this tonight.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: It's a rare night. I'm -- I'm at a loss for words. I'm -- I'm -- I'm not quite sure what I'm thinking. In listening to my colleagues I have been going back and reading through the ample public testimony that we have received about this and I met with a -- a person who got elected to another jurisdiction a couple weeks ago and was asking how it was going and the response was it's a lot easier when I'm sitting on that side of the dias; right? And -- and I think probably for the first time since I have been doing this I'm -- I'm struggling, because I'm -- I am sympathetic with the -- the neighbors and -- and what you have -- have dealt with and many of them are -- while not Meridian residents are -- are long-term members of our community and I can appreciate If you feel the quality of life that you have wanted has been interrupted and concerned that that interruption could continue. I'm also struggling with -- because we have got a facility that was out there doing this operation in the county and if they never would have annexed in would have continued to operate and I have said this a couple of times in

my time on Council, this is a case of people not coming to Meridian, but Meridian coming to them and how do we find that -- the right balance and so the word -- or confidence is kind of what sits with me and -- and, you know, confidence is related to trust and confidence is related to reliability. I have heard a lot, you know, tonight that -- that does -- I can appreciate the perception even if I don't agree with it. You know, there is -- there is accusation the city's accepting materials there that -- the site's accepting materials it's not supposed to, but it -- but it's not. We have heard a lot about health impacts, yet Central District Health has said there is -- there is not health impacts for the facility. The health piece for me has always been the -- the biggest crux and if Central District Health would have said, hey, this facility poses a negative impact to public health, that would be a much different conversation. I -- I was a no vote when this first thing was presented. I just -- I couldn't -- I couldn't find a way to support it and so I -- I -- I commend this Council for giving an applicant and the public ample opportunity to continue to look at this. I still don't know how I'm going to vote. I wish I was the last one to vote, so I would have more time to think about it. Council Member Overton, you put it best, I think this is a compromise is what we have got here tonight. Nobody's walking away feeling like that they got a win, regardless of how this all -- all plays out. I'm just going to be quiet, because I -- I don't have anything else left to say.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: After those comments I would like to make the motion. After considering all staff, applicant and public testimony I move to approve File No. H-2024-0032 as presented in staff report for the hearing date of December 17, 2024, to specifically include the phase transition plans of Timbercreek Recycling.

Little Roberts: Second.

Simison: Have a motion and a second. Is there discussion on the motion? If not, clerk call the roll.

Roll Call: Cavener, yea; Strader, nay; Overton, yea; Little Roberts, yea; Taylor, yea; Whitlock, yea.

Simison: Five ayes. One nay. And the item is agreed to.

MOTION CARRIED: FIVE AYES. ONE NAY.

**2. Public Hearing continued from December 3, 2024 for Baratza Subdivision (H-2024-0016) by Ella Passey, The Land Group, located at the southeast corner of N. Black Cat Rd. and W. McMillian Rd.**

- A. Request: Annexation of 80.3 acres of land with R-8 (26.98) and R-15 (53.32) zoning districts.

- B. Request: Preliminary Plat consisting of 347 building lots, 29 common lots and 1 right-of-way lot.
- C. Request: Council Waiver for block length on six (6) street segments that exceed the maximum 750 ft. block length requirement on land that is currently zoned RUT.

Simison: With that we will move on to Item 2, Public hearing continued from December 3rd, 2024, for Baratz Subdivision, H-2024-0016 and continue this with staff comments.

Ritter: Good afternoon, Mayor and Council. So, this is an application for an annexation and preliminary plat. The site consists of 80.3 acres of land. It's currently zoned RUT in Ada county and is located at the corner of Black Cat Road and McMillan Road. So, the applicant is requesting to annex the property into the city with 26.98 acres of land that was zoned R-8 and 53.32 acres of land that is zoned R-15. I apologize, they did change this. So, those acres have changed with their new preliminary -- with their new revision of their plat. But they are -- the preliminary plat will consist of over -- about 370 lots, so there are some structures that -- that -- both 4023 and 4375 that will be removed and there is existing wells and septic systems that will be abandoned as required by our code. So, this is the preliminary plat that was revised by the applicant. We did ask the applicant to provide a mix of dwelling types, such as single family attached or townhomes within this proposed development, which is allowed by the Comprehensive Plan within the R-15 zoning district. The applicant is proposing something called Next Gen homes that meets the city's request, but I will let the applicant go into further details about that, because I don't want to steal their thunder from them. This subdivision is proposed to be developed in five phases. The first phase will be -- will include all perimeter and arterial roadways, frontage and multi-use pathways. The North Grand Lake Way collector, four public street connections and the primary common area amenity lot and development of the subdivision will be required to comply with the subdivision design and improvements and, then, I also want to state that the applicant is going to do a revision on their phasing plan based on a conversation they had with the highway district as far as some roadway improvements, which we will get into in just a minute. So, the applicant had previously proposed seven common driveways with the subdivision. With the revision of the plat they are now only proposing one. The development, again, it's required to comply with the subdivision design and improvement standards. They previously proposed six block faces that exceeded the maximum block phase standard. The applicant -- again they revised the preliminary plat and all the block faces meet the UDC requirement. No waiver has been requested. So, again, we were talking about the Next Gen area. This is the area that they are providing the different housing type. So, there is a 25 foot wide landscape buffer that is required along Black Cat and McMillan Roads. A 20 foot wide buffer is required along the internal collectors. All landscaping will have to meet the UDC standards. We did recommend ten foot wide detached sidewalks be provided along the collector and arterial streets within and abutting the site for public safety. The pathway master plan -- it depicts a ten foot pathway along the internal collectors and along the north side of the Calkins Lateral. The landscape plan reflects a buffer from North Black Cat Road edge

of payment ranging in width from about 70 feet from the south to 97 feet in width at the north. The Creason Lateral and the Lemp Lateral, as well as the maintenance road are both located within this buffer along McMillan Road to the north. There is a buffer shown with the width of 101 feet from the edge of pavement. The Creason Lateral is also located within this buffer. There are landscape strips of at least 25 feet in width between the lateral and the exterior property fence. Both arterial buffers meet the minimum requirements for at least -- of at least one tree per 35 feet in width. The areas contained in the lateral are shown to be sod. Buffers of at least 30 feet in width are provided along North Grand Lake Way. Eight feet wide landscape parkways are provided along most of the internal local streets and, again, all these buffers must comply with the UDC. So, the applicant is proposing no mow lawn -- grass within the landscape buffer along McMillan and Black Cat Road. So, staff is requiring that the applicant -- the applicant to change this to regular sod, as from past experience once this has been transferred to the homeowners association this area will be mowed as perception mowed -- is that it looks and feels unmaintained. So, we have asked the applicant to revise the landscape plan to incorporate the following. We wanted them to work with the irrigation district to enter into an agreement to divide some type of landscaping other than gravel in the common open space area on the southern part of the property. We asked the -- the applicant will need to revise their landscape plan accordingly, with the understanding that trees will not be allowed in the area, but grass and shrubs may be allowed to be added if negotiated within the agreement with the irrigation district. We are asking that they remove the no mow grass and add regular turf along Black Cat and McMillan Road and add grass in the borrow ditch along Black Cat. As far as the qualified open space, a minimum of 15 percent of qualified open space is required to be provided within the development. Their open space exhibit shows that 23 percent -- .76 of open space was provided and that meets the required quality and qualified open space standards. So, based on the standards they were -- have to have a minimum of 16 amenity points. The amenities that are proposed are a barn style open air gathering space with restrooms, open grassy play areas, natural play areas, picnic areas, open space common shelters, playgrounds, sports field, pedestrian and bicycle circulations, large pond water feature and meandering pathways are planned for the central amenity area. All the common open space areas are required to be landscaped with one deciduous shade tree for every 5,000 square feet of area and include a variety of tree, shrubs and lawn and vegetative ground cover per the UDC. So, there are -- all the irrigation ditches crossing the site shall be piped or otherwise covered as set forth in the UDC. Per the applicant's narrative the Lemp Canal adjacent to West McMillan Road will be piped and an easement granted. All work on the Lemp Canal has been coordinated with Settler Irrigation District. Required irrigation district easements will be granted within the common lot. Irrigation district easements exist for the Lemp Canal and the Creason Lateral -- Lateral adjacent to North Black Cat Road. These easements exist within the common lot. Maintenance roads are indicated along both laterals. Coordination will be ongoing with the irrigation district managing the waterways to meet the requirements. West McMillan Road along the property frontage is two lanes with no curb, gutter or sidewalks. North Black Cat Lane -- Road is two lanes with a five foot sidewalk, detached pathway on the west side. This development proposes five points of access. The primary access will be the



collector street off West McMillan, North Grand Lake Way towards the northeast side of the property, through the property. There is a -- oh, wait a minute. Sorry. And connecting to the Quartet Northeast No. 2 at the southeast corner of the property, the other three accesses would be local streets. One is on the western access to North Black Cat Road, which aligns with West Quintale Street and eastern access, which connects to West Viso Street from the Volterra Heights Subdivision, an additional southern access, which connects to North Black Cat Avenue also in the Quartet Northeast No. 2. So, based on the ACHD staff report, due to the high water table in this area permeable pavers may be necessary internal to the site to accommodate high groundwater. Permeable pavers are allowed, provided they are designed in accordance with ACHD policy and best management practices. So, based on the proposed development ACHD is requiring the applicant plan to do the following improvements to North Black Cat Road and West McMillan. Dedicate 50 feet of right of way from the center line of North Black Cat Road abutting this site, improve McMillan with 17 feet of pavement and three -- and a three foot gravel shoulder and 12 foot wide gravel irrigation access road as proposed and a ten foot wide multi-use pathway abutting the site to tie into the exist improvements on the site. Construct a dedicated westbound left wing turn on McMillan Road from Grand Lakes Way. Constructed to the intersection of McMillan Road. Dedicate right of way as necessary to accommodate the left lane -- turn lane. Improve Black Cat Road with 17 feet of pavement from center line, a three foot wide gravel shoulder and five foot wide concrete sidewalk -- sidewalk as proposed located at a minimum of 47 feet from the center line abutting the site and tie into the existing improvement south of the site. Other than specifically approved with this application, there will be no direct access to McMillan Road, Black Cat and Grand Lake Way and should be noted on the final plat. So, again, per the ACHD staff report McMillan Road west of Ten Mile is anticipated to exceed ACHD's acceptable level of service plan and thresholds and the p.m. peak hour as a three lane road under 2025 total conditions, but it meets ACHD's acceptable level of service planning for -- under the shoulder hour -- in the shoulder hour under the 2025 conditions. Shoulder hour is defined by ACHD as one hour before and one hour after the peak hours during which traffic is rising toward or decreasing from peak and congested conditions are frequently -- infrequently occurring. McMillan west of Ten Mile is facing a significant challenge in -- in handling the traffic demand. The master street map limits the road to three lanes, but the project level of service for this area expected to degrade to an F due to the proposed entitled development. A level of service F indicates heavy congestion with traffic moving very slowly or stopping frequently. While mitigation measures are in place, they do -- they may not be sufficient to significantly improve traffic flow as the road cannot be widened to accommodate the additional volume. The traffic impact study was prepared by CR Engineering in 2021. A new TIS was not required as the increase in the number of lots for Baratza Subdivision was considered minimal. So, Baratza, which is formerly known as Jamestown Ranch, requested annexation into the city and subdivide 80 acres of land with R-8 zoning into 294 building lots, with 25 common lots. This proposed development was denied by City Council in 2022. Council stated the reason for denial was that the proposed annexation is not in the best interest of the city and would be detrimental to the community for the following reasons: The proposed development would generate additional traffic on West McMillan Road and North Black head Road.

West McMillan Road from North Black Cat to North Ten Mile will not be widened to three -- two lanes until 2031 at the earliest. North Black Cat Road from West Ustick Road to West McMillan Road will not be widened to five lanes until 2031 at the -- at the earliest. However, since the Planning and Zoning Commission meeting the applicant has revised their site plan to add more R-8 lots and less R-15 lots. They added the Next Gen lots that offers a first floor private suite that provides all the essentials for multi-generation families needed to work, learn, create or have a sense of independence for the purpose of diversifying the housing types. They complied with the block face regulations. They reduced the number of common driveways. They met with ACHD and came up with avenues to expedite the improvements needed for the intersection of McMillan and Black Cat and the applicant will share those -- will share the things that were discussed at the meeting. I will let the applicant go into more detail on that. So, staff feels that although this application -- this application was denied by Planning Commission basically for the same reasons that it was denied by City Council previously, but I do want to go back and talk about the schools. So, we did receive a letter from West Ada School District and they said that the elementary and high schools are over capacity -- or at or over capacity. Pleasant View Elementary School has no room to put another portable or space to create another classroom within the existing building. The children in the area will need to be bused to another school that does not have the capacity and I know the applicant met with West Ada School District. I know West Ada School District did receive some money to build two new elementary schools and I know one will be near Star and I can't remember where the other one will be located, but West Ada did provide additional information today based on the comments that were in the narrative provided by the applicant and they stated a new school, Pleasant View and surrounding schools, will likely reach capacity in the coming years based on factors including already entitled development and phase growth. So, some of the things that they can do -- they can transport students, attendance area maybe adjusted if available. The passage of a bond to build new schools and place portable classrooms if needed. But portables are not applicable for Pleasant View Elementary, because they just don't have the room for it. But I would like to say that I am happy that the applicant took such -- took the opportunity to listen to what the public and the Commission had to say at the hearing. They took it upon themselves to go out and meet with the neighbors to go to the highway district, to talk with the school district to see what they do -- could do to help alleviate some of the issues that were addressed and I would just like to thank them for their efforts, because I have to say that is -- it's refreshing to get that -- that work in relationship with the applicant that they are taking our comments seriously and they do something to actually try and fix it. So, with that I will take any questions that you have.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Linda, just one question and it pertains to the -- to the letter from West Ada. Did staff take the letter from West Ada that students from this proposed development

would be bused or students in the area could be bused to a different school? Because I think that to me is two different ways to look at things.

Ritter: Well, this is a letter that was based on this development, so with other entitled developments in the area I think it applies to this development also.

Cavener: Okay. Thank you.

Simison: Council, any additional questions for staff? Okay. Would the applicant like to come forward?

Adams: Good evening. While they are pulling up the presentation, thank you, Linda. I appreciate that. My name is Matthew Adams. I'm at 462 East Shore Drive, Eagle, Idaho, and I'm representing the Lennar project tonight. But I want to say Merry Christmas to everybody here. Thank you for spending your evening with us on this project. Don't start my time, please, until I know how to flip slides. Okay. Good evening. We all know there is a tremendous need for housing in this community. So, this project -- we bring this to work closely with you to be part of that solution. But this project is different, because we are really bringing solutions to infrastructure gaps before we fill houses with people. Okay? So, tonight we are going to go over a few things. I'm going to go fast on comp plan, community context, community amenities. I want to leave time so we can talk about the important issues that P&Z brought up, which is density, schools and transportation. So, if we go over something quickly and you are interested in it, please, ask a question, so that we can spend some more time on it and Baratza means apple in Basque, so we have got some cuteness factor here with the little guy. This is the comp plan; right? Future land use map. So, you can see Meridian has thrown its arms around this -- these parcels -- this area and is giving it a bear hug and saying, please, come in to our city. There are entitled lots all the way around it and we are like, sure, let's do that. So, let's follow the future land use map, let's follow code and we meet all those things. Furthermore, we are planning to do everything in the staff report. We agree with all the conditions and we want to proceed and satisfy everything that staff has asked for. This is the community context similar to the future land use map. We have got some icons in here to demonstrate all the various community amenities and to depict -- I mean there is -- I know we are going to talk about infrastructure in relation to roads, schools, but there is more than that when you talk about infrastructure. There is retail, shopping, jobs, pathways. Those things exist. This project is not out on the edge, it's not on a shoestring, it is in the center of a developing area. It's been developing for decades. All right. Amenities. So, the Baratza community -- we met early with the client, with the owner, and we want to make a commitment to preserving the rich history of Meridian, the Treasure Valley, and provide a high quality community for the residents and provide a high quality community for the neighbors, because neighbors will walk through this community and they will feel like it's part of their community as well. All right. So, we wanted to really spend some time and make the agricultural heritage of the community visible in the project. So, we have a modern interpretation of ag. We have modeled our main space around that of a homestead. So, the community amenity that Linda talked about were anchored with a

barn style open air gathering space with restrooms, pool, irrigation pond, playground, shade shelter, picnic areas, orchard, play field, all of these incredible features connected with paved pathways. Not only that, we do have the ten foot multi-use pathway on McMillan on the north that connects the existing one that takes you down to Walmart, Panda Express, et cetera, and we also have ten foot multi-use pathways on Grand Lake, which is our collector that runs north-south and we are connecting the significant gap in pedestrian walkways on Black Cat as well. So, Linda mentioned we are required to have 15 percent open space. Well, we are providing 22 percent. So, what does that look like; right? Well, that main space on the interior -- and Boise Dev got this quote great after our P&Z that we have a Costco sized open space. So, I think six acres of open space is hard to maybe conceptualize, but we have all been to Costco, so the parking lot by the tire area out to the -- to Ten Mile, plus the building, that's what we are talking about. It's massive. Okay? This is a really great investment to provide an amenity for the folks that are going to live here. And, again, I think it provides an amenity for the neighbors as well. You can't -- it -- it is true where I live I walk through other neighborhoods. I enjoy their spaces as well. So, what's the character of these improvements? They sound great. Are they going to look great? Yes, they are. So, this is Baratz; right? Pool. Irrigation pond. More than just a pond it's a feature. It's an amenity. We have got playgrounds. The orchard. The open air style picnic structure. Playfield just out of view. We are also taking very special attention -- putting special attention on roadways. This roadway is enhanced. It goes above and beyond like many features of this development. Ten foot planter strip, eight foot walkways and a ten foot minimum buffer where we don't have a front yard. So, this is our main east-west thoroughfare and you can see that -- I mean this is -- this looks real with eight foot walkways separated from the roadway by a ten foot planter. Pedestrians feel safe. Children feel safe. People use -- will use those walkways. Architectural character. We want to lean in on this ag theme, that's where the -- the board and bat is used pretty extensively when you want to do that. It feels very appropriate in our community. All right. Now, I do want to talk now about what Planning and Zoning said and that we listened and that we worked really hard with staff, other agencies and the neighbors to come up with the proposals. So, I'm going to talk about density, how it relates to zoning, schools and transportation. I am going to have Sonia with Kittelson come up, talk about transportation and, then, I am going to have Tony come up and talk about neighbor engagement as well. So, let's get into density. So, the P&Z said is R-15 zoning and density appropriate in this community. So, medium density residential per the future land use map does allow R-15, but when we presented P&Z said feels like too much. So, we revised it. So, now we have R-8 that aligns to R-8 to the west, to the south, to the east and, then, we have R-15, which is pushed up on McMillan, because across the street there is a higher density development that's already platted. So, we are matching into the community. We are matching and mimicking the densities around us. Okay. Why do R-15 at all? Well, we can shrink those lots very slightly and we can allow some affordability, because it is important to have affordability in this community. This is meant to show you the context of density; right? So, I said there is a higher density project across the street at 13.6 units per acre. We have R-15 up against that 13.6, but we are still at a 5.6 units per acre. They are at 5.4 to the east of us and 4.8. Okay? You can see 5.6 to the northwest, et cetera.

Per their staff report the average net density within one mile is 4.96. So, let's call it five and we are at 5.6. So, we are right in there. We are -- we listened to P&Z. We modified our plan. We reduced our density and dramatically reduced our R-15 area. Schools. Schools are a sticky situation right now. P&Z said how do we mitigate school enrollment concerns? So, West Ada does that for us. West Ada does control the schools. West Ada is the recipient of -- or the beneficiary of House Bill 521, the School Modernization Fund. Okay. So, West Ada is going to receive 150 million dollars. Some of that goes to new construction. Other dollars from that goes to major modifications, modernization, upgrades, those kind of things. The Star Elementary was submitted today for conditional use, CZC and DR to the city of Star. It is located in an area that the -- and this is information from a meeting I had with West Ada. This will affect the Pleasant View boundary. Pleasant View is currently taking students that live to the north of it. This school will result in West Ada balancing enrollment areas and the school district's going to start that balancing or revision this coming year so that they can vote in February. The board will approve the new boundaries. February of '26 is when they will vote. This school will open in fall of '26 and the -- the crowding will be relieved based on the Star school and we are not hoping they build a school, they are building a school. It's funded and the design work is underway. So, I'm going to ask Sonia with Kittelson to come up and talk transportation.

Daleiden: Good evening, Mayor Simison, Council. Sonia Daleiden with Kittelson and Associates. As Matt said I'm here to present a few slides to talk about and address the concerns that the P&Z had related to traffic and transportation. So, I think the most important thing to understand as we are talking about transportation in this area is by the time homes are built in the subdivision, if it is approved, the transportation system around this area is going to look very different. There are over nine major transportation projects that are in the immediate site vicinity. You can see that here. Several of them, such as the new State Highway 16 extension, the widening and upgrades to Ustick Road, as well as a traffic signal that ACHD has planned at Black Cat and McMillan, these are funded, constructed, in the process of going to -- sorry. Funded, designed and in the process of going to construction next year. ACHD is going to begin construction of the traffic signal at Black Cat and McMillan in January and I know you are all very familiar with Ustick Road and State Highway 16 and the accelerated schedule those projects are -- are on. In addition there is other projects in this area planned and moving forward and we will get into a few more details on that, but I wanted to make you aware of how different the transportation system in this area is going to look and you can see in this table here by the time all of these funded and planned transportation improvements are in place in this vicinity there will be a net additional capacity of almost 20,000 vehicles in the peak hour once all of these transportation projects are in place. So, the ability to accommodate significantly more traffic than is there today. This graphic shows how that additional net capacity is going to come into play over time. So, you can see there is a pretty significant jump in that capacity between now and 2030, because of those major projects that are currently underway and, then, overtime by the time we get to 2040 you can see all of that additional capacity that will be in play and that's shown on the blue line on this graph. The orange line at the bottom of this graph is how much capacity or how much traffic

the Baratza development itself will add to the system. So, you can see here we are adding 317 peak hour trips, compared to that 20,000 trips of additional capacity that's being added to the system. Now, we know Meridian, other cities in this area -- and this is not the only project you have approved or will be approving, but you can see how much capacity is going to be out there relative to what this development would actually need. That said we -- this development wants to be a proactive contributor to improving the transportation system in this area and so I -- I would like to summarize briefly just what specifically Baratza development is offering to do with approval for transportation. So, first, as Linda summarized, we will be dedicating right of way along Black Cat and along McMillan, so that ACHD has that right of way available for their future plans along both of those roadways. There will also be frontage improvements of course. There will be relocation of the canal that will be required in order to do some of those improvements. We will be constructing a completion of Grand Lake -- the collector of Grand Lake Way between Black Cat and McMillan to provide a redundant connection, so some folks in those subdivisions don't actually have to go out to the arterials. Sorry. Is that time? Okay.

Simison: Yeah. It's time. If you can summarize --

Daleiden: I can wrap up really quickly. And I think the element that I want to highlight most is specifically at McMillan and Black Cat, what this development is proposing to do. So, as I mentioned today it's a four way stop intersection. As I mentioned ACHD is starting construction on a traffic signal at the beginning of next year, but we know that traffic signal is not the ultimate improvement. ACHD wants that intersection -- they actually have planned a multi-lane roundabout and so what the development has discussed with ACHD and has offered is to upfront the full cost of putting in that multi-lane roundabout and constructing it prior to the -- or before any of the phase two construction of homes would go into play. So, that's up fronting the cost -- complete cost. It would -- some of that cost could get potentially reimbursed through impact fees, but at a minimum the development would pay at least 1.5 million dollars to accelerate that project one, potentially two years, prior to when ACHD would currently be able to do it. So, I think I might be out of time.

Simison: You are out of time.

Daleiden: I will wrap up very quickly.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I'm intrigued by, you know, rarely really see an applicant that takes like the real challenges that we are having in the community so seriously that they are

coming to the table with solutions, so I respect that. Would you mind just describing the timeline here for a minute, so we can kind of understand how that would work?

Adams: Thank you, Mayor, Councilor. We just put a ton of information on you. Linda did and, then, we did as well. So, how does all this line up, this timeline? So, 2025 the traffic signal is completed by ACHD. There are no homes constructed. No new trips. New capacity is available. 2026 the new school opens and the Lemp Canal gets moved and tiled. Still no new homes constructed. Additional school capacity is created. 2027 we anticipate phase one final plat being recorded. At that time Grand Lake is complete. We are starting to work on new homes and we are starting construction on the roundabout. So, still there is no homes occupied and we have all this infrastructure. In 2028 roundabout's complete. If things go well for us as a development, 122 homes would be completed and we would, then, start in an attempt to final plat phase two and, then, we jump -- we didn't want to go every year, but we jump ahead to full build out anticipated 2031. That's when that would be complete and the 344 homes and Council Woman Strader, thank you, because -- I said at the beginning we are trying to be different. It's improvements in infrastructure before the houses are built. I don't know anybody who ever brings that to you. So, I think we are really making our best effort to do that and I hope somebody asks about neighborhood outreach, so we can talk about that, too.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Can you tell us about your neighborhood outreach? I'm kind of curious now. It is an important part --

Adams: Mayor, Councilman Taylor, I would love to. On this project -- I'm going to ask Tony to come and talk about that a little bit. We hosted four neighborhood meetings. I had meetings with individual neighbors, because it's important to do it right. Okay? The check-the-box one meeting is fine, but it takes more than that to be successful.

Tsang: Tony Tsang. 6518 North Fairborn Avenue, Meridian, Idaho. Mayor Simison, Council Members, I'm actually representing the ownership group and I want to start -- part of the community outreach is that working with different builders -- we had -- luckily City of Meridian's awesome. Now, we own this piece of land. We had four different offers, all within two percent of each other price wise and when we looked at the offers, you know, a lot of them you probably can imagine who they are, we chose Lennar. They -- they presented us the most compelling argument of what they are willing to do. The amenities, the use of open space, their willingness to kind of work with us. Now, I have done a previous development with them -- with them and realized that they really do care about what they build. They are not a minimum -- minimum developer or builder. They want nice stuff. And so that being said, you know, we really cared about who we partnered with and I think some of the stuff -- and back to community outreach -- I mean this is -- kind of ties it all together is that I was able to meet with the neighbors

three different times and a lot of -- trying to address their concerns. So, obviously, the three main concerns we had were traffic, schools and the density. I think the density dilemma conversation was kind of lost. If you were -- if you were able to watch the P&Z meeting they kept talking about R-15, R-15, R-15. We get that and we are not trying to put 15 units per acre. If we did an 80 acres it would be 1,200 homes. You know, R-15 zoning was really used for lot sizing and when we changed the R-15 zoning we just added a couple hundred square feet to some lots to make it R-8 and so we did -- different from the previous development we -- we bought more land. We actually bought more land from Larry James. We have more land to work with. Not a ton of land, two and a half acres, three acres, but we did buy more land. So, back to neighbors. So, we met with the neighbors. They were great. I mean I don't know if you were -- if you guys watched the community meeting for the P&Z, but there were about 25 to 30 neighbors that showed up. They cheered when P&Z denied us two to three, yes, but we worked with them and we told them what we were doing, what the alternatives are and as the landowner, you know, we have options to sell to who we -- who we have to sell to. Now, if Lennar gets denied -- if this -- this gets denied, obviously, we have to make alternative decisions on who we sell to and what I kind of explained to them and hopefully they support it and, obviously, not as many people showed up -- was you found a great partner. We found a great partner. If we deny this -- if this gets denied and gets pushed out a couple years, we lose 1.5 million dollars. I mean I want to emphasize the fact that Lennar is going to pay up to six million -- not up to, but we are estimating six million dollars to privately fund the roundabout. It's going to happen a year or -- two years earlier and they are going to carry that to 2029 and only get back 4.5 million. They are going to leave 1.5 million that the county of -- Ada county, the state of Idaho, is going to get to keep. Let's not forget floating six million dollars for two years at seven percent. It's another eight -- 800,000 dollars of flow cost. I think -- I thought it was amazing. When we approached -- when I approached ACHD, worked for Steve Price and the -- and the group, that moved the needle. They were really impressed. They are pushing forward. We are committed to -- oh, I can't take credit. Lennar committed to putting those funds into our community and I just sit here and go, okay, if it gets denied, I get it, we will sell somewhere else, but that evaporates. The next builder probably won't do that. In fact, I talked to a builder to help -- a local developer to help participate in the funds and he was going to get back all his funds and -- and impact fees and he said he would pass and Lennar's -- I mean a million five is a lot.

Simison: Can we get back to --

Tsang: I'm sorry. I'm -- dialogue. Yes. The community --

Simison: -- we will move on.

Tsang: I'm sorry, Mayor Simison. So, yeah, and we addressed their concerns. I think the Deans are over here, the Quenzers are over here, they said, hey, you know, the previous developer wanted -- they agreed to not build two story homes about our house. So, I worked with Lennar and they said, hey, listen, we didn't make them this promise,



but can we make -- designate these homes to be one story homes and -- absolutely. We had another neighbor that wanted -- because they were afraid that they were going to use it as a cut through, so we decide -- we asked the city -- we asked the staff, hey, can we develop this last piece where it connects to our west at the end, so we don't create the last piece of road, so people can't cut through. I mean I -- these are minor things. I think the -- the -- I think that the message that we are trying to get across is that, you know, we as a development team did listen. You know, we -- we failed. We failed in our first meeting, because we didn't listen to staff, but we corrected all those things. You know, we couldn't talk about the schools yet, because it wasn't announced, so -- and then -- and I obviously feel, if you watch the -- the P&Z meeting, that R-15 zoning issue was just -- it was -- it was just twisted in a way that we are not looking for more density. We use that zoning for more -- and I -- and through the community meetings explained to them what we were trying to do. I think they understood that. Sorry. Sorry for going off topic.

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

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: Mayor and Mr. Adams, just looking at this picture that's on the screen, if you will go back, the northwest corner of this at -- at McMillan and Ustick, does it accommodate -- I'm not seeing a roundabout in -- in your image here. Is there -- what -- how will that change when the roundabout is -- is built?

Adams: Excellent question. Mr. Mayor, Councilman Whitlock, this graphic does not show the roundabout. You are correct. However, it does depict accurately the dedication of the right of way for the roundabout and there would be no impact to the lot layout, the open space, when the roundabout occurs. Now, the -- the sidewalks would need to be adjusted slightly, because they will initially be constructed for the traffic signal, but this layout will accommodate the roundabout. We have the CAD files from ACHD. They are in the background as we work on our -- our development. Thank you for the question.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: One question on the timing of some of the transportation improvements. Correct me if I'm wrong and maybe you are the one that can answer this for me, but you stated an additional 20,000 trips accommodated when -- when everything is completed, but one of my -- yeah, go back to the -- okay. Here we go. Very bottom of your chart. Black Cat Road widening to five lanes from Ustick Road to Chinden. Time frame 2040. So, that's -- I just wanted to verify that that was the case, because that seems a little bit problematic in terms of your timeline with when you are hoping to have all your homes

in. So, could you just speak to the capacity? Because if you are considering the 2040 widening of Black Cat and the 2,400 additional capacity in sort of your time frame, the math -- the timing doesn't line up with what I have heard. So, could you speak to that for a minute?

Daleiden: Yeah, Mayor and Council, thank you. That's a great question. So, what we wanted to do in this graphic in this table is provide a complete picture of everything that's planned out in here. You are absolutely right, though, some of these projects are before. There will be people in homes. Some will be after. And I think, unfortunately, the slide that I had to scurry across here, due to the lack of time, really tells a nice story. I think it's this one. Yes. Wait. Where is it? Yeah. Oh, it might be -- it might be cut off on this.

Taylor: That's my fault for having --

Daleiden: You are all right. You are all right. If -- if you narrow in this view and don't look at those longer term projects, if you really focus -- even if you don't consider some of those that are guaranteed, like State Highway 16, the Ustick widening, if you really focus only on what is this development actually doing and that would be the right of way dedications on McMillan and Black Cat, the roundabout construction and, then, the addition of Grand Lake Way, if you add just those up we are close to 4,000 vehicles of additional capacity added to the system and, then, you can compare that back to the 317 trips that the development will generate, so the projects that this development has committed to doing itself will provide about ten times the capacity that it itself needs to accommodate its traffic.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I'm curious, I will take the bait on what a Next Gen home is, if you want to give a little. Please be brief, but briefly explain kind of what -- what you are targeting there and that would be helpful.

Adams: Mayor, Council Woman Strader, great question. I'm going to have Jeff with Lennar talk about that, because he understands that product better than that I do.

Clemens: Jeff Clemens. 306 Eagle Road, Eagle, Idaho, with Lennar Homes. Thank you for asking, Council Member Strader. It is a home within a home. It allows for multi-generational living. In the early 2013 we realize that many families are coming back together, whether it be your parent coming back to live with you or whether it be a special needs child or just your child coming back alone, it is an area which it has its own exterior door, it has internal connection to the home -- to the main home, as well as a kitchenette, a living area and a washer-dryer. It allows for independent living, while at the same time living within the same family. How is that for brief enough? Does that describe it there? Thank you very much.

Strader: Thank you.

Simison: Council, additional questions for the applicant? Okay. Thank you very much. Mr. Clerk, anyone sign up on this one?

Johnson: Yes, Mr. Mayor. First is Mack Myers.

Simison: Good evening. State your name and address for the record.

Myers: Good evening, Mr. Mayor, Council Members. My name is Mack Myers. I am the district manager of Settlers Irrigation District and forgive me if you will, usually I'm up here to speak in opposition to these projects and I spoke in opposition to this project last time we looked at it, formerly known as Jamestown, but I just wanted to go through this with you guys really quick. I have been working with The Land Group on a new design and they have met every requirement that the district has wanted and provided a design that's sufficient and satisfies the district and I think that the design ultimately improves safety for not only district employees when -- while doing maintenance on the irrigation facilities along with McMillan, but for vehicular and pedestrian traffic, significantly improving the safety for the pedestrian traffic. I have got pictures on my phone. I should have printed them off for you guys so you can see the -- the -- the kids walking down the fog line between the canal and the fog line and I have got pictures of vehicles upside down in our ditch, you know, right there at Joy Street and along McMillan and I -- I think that the relocation of the canal -- piping the canal is -- is more important than -- than anybody has really considered at this point. You know, as far as the roadway widening project goes, without relocating the canal that project is never going to get done and these guys are proposing to do that at a cost of like -- I think the last estimate's like 1.5 million dollars and -- and piping for the irrigation facilities alone, you know, on top of the intersection improvements. We currently have an agreement with Idaho Power that just came up over this last year -- you know all the steel poles that are run along McMillan, they had to add additional poles to support the infrastructure or to support all the new development west down McMillan, because they were -- they were concerned that they were going to have rolling blackouts, like Jump Creek and -- and further west on down there. So, they came to us, they wanted to put poles in, wooden poles, and we agreed to allow them to encroach within the easement, so long as the canal did get relocated, because it's basically obstructing our maintenance, because they have got the steel poles on the north side, now they have got the wooden poles on the south side and difficult enough to do any maintenance on the north side with the fog line, the shoulder, and the ditch, you know, so basically this is an encroachment that's allowed so long as the ditch is relocated. If the ditch doesn't get relocated -- I mean I -- I -- we -- we do have the option of removing those encroachments. I will probably not like that and neither will any of the other developments further on west. I have a few more things to say, but, basically, it's -- you know, if the canal doesn't move the intersection doesn't get widened, because -- I have reviewed the entire CAD drawing from ACHD and how it impacts all the infrastructure there at the intersection. They are -- they are going to be experiencing rolling blackouts. Safety doesn't get improved for -- for

anybody. It's just a -- it's a big deal. It's important that that thing gets relocated. And what they have provided us we are content with and I wanted to come up here and tell you guys, because last time I was in opposition to this project and with the new team and the new design I think that they are on the right track. So, I thought I would let you guys know.

Simison: So -- so, Mack, can I put you on the spot for a different question?

Adams: Sure. Yeah.

Simison: Is there any way in the world that we can get all of Idaho Power's poles on that side so we could widen the road to more than the three lanes long term?

Myers: Well -- so, the steel poles -- absolutely. So, once -- once they shift the canal south, because they are proposing to move it 40 foot south, they can bring all the poles over. But relocation of those poles are -- the last we looked into it was like 400 grand a pole, so --

Simison: Can we just put up a bunch of wooden poles instead of those big ones?

Myers: No.

Simison: We will talk about that later.

Myers: Oh, yeah. Yeah.

Simison: I'm not putting you on the spot, but I -- I think there is a legitimate long term if there is a partnership that can exist to allow a wider McMillan Road through that area through this partnership to get them all -- the utilities on one side.

Myers: Right.

Simison: That's where I was really going.

Myers: And I agree with you a hundred percent and if you look further east you can see that the -- the canal had previously been relocated and piped at -- at the corner of Ten Mile and that's where they -- for the -- for the intersection there. So, that's when that intersection. If you follow that -- that center lane down you can see where the canal dives back towards McMillan and that center lane tapers down to nothing kind of just past Walmart there and that's -- that's where it gets -- you know, it's -- it's edge of pavement -- it's fog line edge of pavement and canal bank you know, so, it's -- it's an extremely dangerous area and, you know, people pulling into Walmart -- somebody not getting seen, they get rear-ended and same thing on Joy Street and so on and so forth. So, that canal really does need to get relocated and they would -- it's -- it's huge, you know, so -- anyways, appreciate it. Anybody have any questions or --

Simison: Any other questions? All right. Thank you. And, Mr. Parsons, I hope you heard that, that we can seriously it's -- that's a fraction compared to buying a home of moving poles, so -- okay.

Myers: Thank you.

Simison: Thank you.

Johnson: And, Mr. Mayor, next we have John Caldwell.

Simison: Good evening. State your name and address for the record.

Caldwell: Mr. Mayor, Members, John Caldwell. I live at 3843 West Viso Street. Just listening to all this testimony I just want to bring up a point. Where I live -- I live in the development next to it and what we are concerned about is -- well, first of all, you have to back up -- right now McMillan is a parking lot. It's two lanes. It's got all those developments over on Black Cat. It's -- it's -- there is a huge backup in both directions anytime of the day and what's going to happen is they -- they have -- as she pointed out, there is a -- this new development would go into our development through West Viso Street and people -- right now if you go out and take a right on McMillan and you want to go to Ten Mile -- take a right on Ten Mile you have to wait long. There is a long line at Walmart and all that stuff. Okay. So, what people in our neighborhood have done is there is a little shortcut that you can cut through our neighborhood and go directly to Ten Mile. So, what's going to happen with this new development is those people are going to find it -- you know, it's difficult to get -- to get on McMillan because McMillan is a parking lot, so they are going to cut through our neighborhood to go to Ten Mile. To get through they have to go through a park where all the kids are, to get through that's where the bus stops are for all kids and so I don't think anybody's thought this through that you are -- you are basically because of -- you know, the total traffic problems in McMillan you are sending traffic through a neighborhood with lots of kids playing. It's going to be -- people have to drive through a residential -- a neighborhood to get to this shortcut or to -- to avoid the traffic and you know as well as I do people are going to do that, because McMillan's a parking lot. So, that's a -- that's a concern. I don't know what the -- whether the Council is going to approve this or not, but if -- I would think -- I hope the developer could figure out a way to -- to -- to -- to slow that development or to make it make -- don't -- don't allow people to go into our development until you have widened McMillan and still it's -- it's not a parking lot. Thank you.

Simison: Council, questions?

Cavener: Mr. Caldwell? Quick question. I just want to -- I want to make sure that I'm hearing you right and maybe you can paint a picture for me, because I'm not -- I don't spend a lot of time in -- in your part of Meridian. So, I heard your testimony tonight. Biggest opposition is that you are concerned that the residents of this proposed development would use your neighborhood to kind of access your guys' shortcut.

Caldwell: Correct.

Cavener: Okay. Is there any thought that if -- and maybe Linda can pull up the map. Doesn't this residential development take access off of Black Cat as well? Don't I remember seeing -- right there. So --

Caldwell: No. I mean my -- my concern is McMillan.

Cavener: Sure. You are concerned that there -- that people are going to use your shortcut to get to Ten Mile.

Caldwell: Correct.

Cavener: And I guess what I'm -- I'm also trying to look at, well, there is -- there is Black Cat that's here. Wouldn't they just use -- use Black Cat or could the same argument be made that -- that your neighbors would use their shortcut to be able to get to Black Cat?

Caldwell: Nobody's going to go into -- into their -- that neighborhood because -- because, like I said, turning -- you know, the -- the entry that they have got onto McMillan -- you are not even going to be able to make a left right now. I have -- the people in this new -- this new development they won't even be able to make a left onto McMillan, because there is such a backup, so -- and they will take a right on McMillan they will go down and they will wait forever just to make a right on Ten Mile. The problem is, you know, McMillan is a parking lot. No, we are not going to go through their neighborhood to go -- you know, we are going to go the way we normally go to get away from all the traffic that the city has created for now.

Cavener: Thank you.

Caldwell: Okay. Thank you, sir.

Simison: Okay. That's everyone who signed up. Is there anybody else would like to provide testimony on this item? If so you can come forward or if you are online you can use the raise your hand feature. Seeing no one coming forward or raising their hand, would the applicant like to come forward to close? Oh, we do have someone. I take that back. Just raised their hand.

Johnson: Steven, you are unmuted.

Sawyer: Steven Sawyer. I live in Quartet, the neighborhood just south of the proposed neighborhood, at 4391 Double Spring. I really appreciate the -- what was said. I mean it was a very smooth presentation. I can see that Lennar -- I know for a fact Lennar really likes this area and they are doing their best to -- to work with the people here and I appreciate that. I really do. I just have some concerns. One of them is the Grand Lake Way collector roadway -- and I don't know if -- if Linda could help me pull up kind of the overview map where we get all -- all the neighborhoods or kind of a one mile

view. There is a blue Lake View or Grand Lake Way is a blue cut through and what's different is most of the neighborhoods in Meridian are -- Meridian's done such a good job of being on a grid system where it makes it easy and if you try to cut through a neighborhood you have -- you have -- you get lost. People just don't do it and it makes it so the neighborhoods are nice. That one will work. Grand Lake Way is kind of on that -- yeah. You see it. If you saw the whole picture would -- it would connect to Black Cat. It's -- there is no way that is not going to just turn into a raceway. I don't know any other neighborhoods in the Meridian area that have that where you can just absolutely cut basically straight through those block systems that we have got, those one mile grids. We already have a problem with traffic going through there and it's a dead end street and that's just our neighborhood of Quartet. So, I can't imagine what that's going to be like. So, that would be nice to see that addressed. I think the gentleman prior to that was talking about just off of the Viso Street that ties in and I -- I completely agree with him. I guess I'm really concerned with what Meridian's vision is for the future. I heard them -- I heard the Lennar rep talk about, you know, the density and those kind of things, but even their R-8 is very dense. We are talking about the Second Gen or -- I don't know what they are calling them. New Gen buildings. I love that idea. I think that's -- there is a real need for that, but when you look at those -- those drawings you -- all you see is garage facing the -- the road and you are -- you are really talking about two homes on one lot and these lots are not -- they are a lot smaller than a lot of the R-8 neighborhoods. So, these are just things I'm thinking of as I'm listening and a concerned citizen as well. As we end up chewing up the land in Meridian I would really like to see it used and really built for families and that -- that's kind of where I'm at. Thank you.

Simison: Thank you. Council, any questions? Okay. Thank you very much, Steven. All right. Matt.

Adams: All right. Those are good comments. We will leave it on this screen. I'm going to take a couple of them and, then, have our traffic expert -- transportation expert take a couple. McMillan -- great discussion with Mack. Staff asked us to dedicate additional right of way beyond what ACHD is asking for, so that a five lane section can be done in the future and we are doing that. We are happy to do so. So, we are providing that space to try to help solve that -- that problem that exists. To just -- for clarity, the roundabout, we indicated a 2027 start of construction. That is our aspirational date. 2028. It could be the realistic date and the reason I have two dates there is because it really depends on the Ustick-Black Cat construction. We can't start until that's done or we would have gridlock and, then, I do want to touch on the comments from Steven. Thank you for calling in -- or being online. The Next Gen home is not two homes. It's a living quarters. My mother-in-law lived with us this year before she passed. I really wish we would have had a set up like that. There is a need in our community to provide that type of a service and our home sites -- little hard to see with my yellow overlay, but these lots are the same size as the lots in Quartet to the south and, then, I would like Sonia to talk about Viso Street and Grand Lake collector.

Daleiden: Thank you. Yeah. I also appreciate the comments on Grand Lake Way and the other collector, local streets in this area. So Grand Lake Way in particular, that's on ACHD's master street map. That's one of their mid mile collectors that they have throughout the grid system in Ada county. Everywhere in Meridian you have those mid mile collectors and they serve a purpose. They serve an important purpose. They are designed -- they are not designed like a local street, they are designed as a collector. They don't have homes specifically fronting on them, but they are really designed so that traffic from the homes can go from those local streets, keep those local streets low volume and have a way to get out to the arterials so people can go where they need to go. The extension of Grand Lake Way to -- through the site up to McMillan that's a requirement, because ACHD has it on their master street map. Meridian also -- all of the land use agencies in Ada county also adopt the master street map. But ACHD also does have requirements for those collectors. They have maximum number of daily traffic that can be allowed. They have design considerations. They have traffic calming and traffic speed management requirements on those roadways, because we know they are adjacent to residential areas, so that they can function and integrate with -- within those areas. So, hopefully that helps. The other thing I will add related to McMillan being a parking lot and having a lot of congestion and so people looking for alternate routes to that, he is absolutely correct, one of the reasons that McMillan is so bad right now is that four way stop at Black Cat. A four way stop intersection is probably the least efficient and effective intersection you can have, particularly when we have the -- the volumes that Black Cat and McMillan have today. So, once we see a traffic signal there that will do -- go a long way to relieve congestion. Once a -- the ultimate dual lane roundabout is in there that will go even further and allow traffic to flow better on the arterials where it's supposed to be, so that people -- there won't an advantage to -- for people to cut through if they are not destined specifically to these neighborhoods.

Adams: Thank you, Sonia. And I want to address the gentleman's comment about Viso Street. Right there. That's Viso; right? So, we got that comment in the neighborhood meeting and we took a look at it and we thought, well, let's move it into our final phase. Let's -- let's keep it so that it's not connected. People learn driving habits, then, it gets built with the last few homes, it's just that east strip and we will try to prevent some of that cut through. So, a couple things on that. We looked at that with staff and with -- we looked -- talked about fire access and there was a consensus among staff and our team that Viso is needed to be connected. You know, cut through traffic is one way to think of it. The other is connectivity and access and additional capacity, so that the folks that live in Bridgetower West also have access to Grand Lake. There was some discussion that early -- our early phases -- if fire was on board, possibly a temporary bollard set up. Yeah. I don't know -- we are open to doing anything we can to be sensitive to those neighbors, so that they don't feel some sort of impact from that road being connected early. Thank you.

Simison: Council, any additional questions? Matt, you are going to come back up.

Cavener: First -- and I -- I always appreciate the enthusiasm you bring to the projects. I don't feel like you are -- you are trying to fake it until you make it. Like you really just come with joy with projects you present and I just -- I appreciate that. Linda, can we pull



up the slide that shows the open space? Because there is a piece in there that caught my eye that I -- I kind of want to understand a little bit more about. Sure. That one will work. So, you have got this great kind of centralized open space and I appreciate that. I think it's -- it is kind of more closely located to more of the denser product. But, then, down below you have got this little patch of green space. Help me understand what's the purpose of that? Why is it there?

Adams: Mr. Mayor, Councilman Cavener, great -- thank you for the question. Have you ever met a civil engineer? No, I'm just kidding. When we are looking at this we are doing groundwater monitoring. This is a pretty mundane answer. But we have high groundwater and we are like anticipating possible need for a drainage lot and we end up with this really -- what kind of looks a little strange -- if I can get my mouse there. This little green strip in there. If we -- our hope is to not need that as we get into CVs and we can make some very minor modifications to those lots, so we can get those to touch. I don't like that spot. It's kind of a corner. It's a dead end open space.

Cavener: Yeah.

Adams: It's -- it's anticipating the possible need for a drainage lot.

Cavener: Okay. So, Mr. Mayor, just maybe an additional comment. First I appreciate it when an applicant is going to anticipate all my questions and answer them before I ask them. So, my colleagues did a good job of asking a couple clarifying. So, just -- just some feedback. This project's really well laid out. My only question is -- there is just a gut reaction. When you look at this west -- excuse me -- east of kind of your cool pathway with a green space, that kind of looks like the haves. You have got this great open space, cool pathways, you got another little greenbelt little path separating some of your housing, but everything west of it is just packed tightly dense and -- and you have been doing this a lot longer than I am, you are a lot smarter than I am, help me understand why not sprinkle in a little bit of open space in that -- I don't know, northwest corner or southwest corner or maybe even just walk me through how far of a walk is it from kind of where that common drive is -- or maybe where the -- the -- I can't control the screens. But maybe that cul-de-sac on the lower left, how far of a walk it is from there to the open space?

Adams: I'm going to get us to a bigger map.

Cavener: Perfect. And, listen, I say this as a -- as a dad, right, who wants my kids to go run and play and want to be able to keep them with an eyesight. Maybe I don't always want to go let them play. Help me just -- kind of walk me through that.

Adams: Great question. Mr. Mayor, Councilman Cavener. So, the question is like how did we come up with our design for the open space? So, just for like -- to get your reference, so from Black Cat to Grand Lake it's about 2,000 feet.

Cavener: Okay.

Adams: Okay? So, you are about -- let's just call it a thousand feet from Black Cat to our north-south micropath or -- that mouse is not good. So, for the -- the green strip that runs up north-south; right? So, if I'm going to walk from the furthest home to the west over to the community center I have got about a thousand foot walk, maybe a quarter mile, which would generally be -- could be a three, four minute walk for a person. It's -- it is a good question. So, our main east-west roadway has those detached eight foot walks with the expanded planters and that is really meant to allow people to feel safe and like they can walk over there, get their kids, pull the trailer. With these amenities you might need a trailer to haul the kids over there and their stuff. I think -- I mean part of the reason for the location of that open space is, again, a little odd, but it is to make the hydraulics work to flow water from the irrigation ditch into the pond and, then, allow it to waste properly and as we move it further west we get further from the source and that pushes the pipe downward, so it was -- it -- we weren't thinking strategically, oh, let's load up the east half of this development with the nicest amenities, I think some of the -- some of that layout is dependent on the engineering realities of the project. We are confident that the enhanced buffer sidewalks and pedestrian connectivity makes everyone feel like they can access those amenities easily.

Cavener: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: One concern that came up in the public comments was, you know, construction, dust control, mitigating kind of the impacts to neighbors. Would you mind just quickly talking about what you are going to do on that?

Adams: That's a great question, Mr. Mayor and Council Member Strader. That is a real impact. I have lived in Meridian since 2005 and experienced lots of dust and the house wrap that blows into your yard is also concerning. The -- the method to combat that is really just good construction practices, best management practices. So, when we do our construction documents and they get approved there is lots of requirements and codes, such as dust control, that's in those documents. Now, that isn't always executed with a lot of success and I think that's what is the concern to people and there is no way to construct this project without any dust or any noise. So, that's unfortunately some of the reality of this. I will say what we -- what we will do is Lennar as a team emphasizes quality and emphasizes neighbor relations. So, I know in working with them and their other projects they have been very successful in managing that concern with the neighbors and they are available. You can get a hold of them if you do have a concern and that's also part of that management. Our phasing, even though it builds the core and the Grand Lake, the homes start further to the west and work their way east and south. So, our initial construction is further from the neighbors. So, they have to endure some of that -- some of that for less time when it's directly adjacent to their home. So, I hope -- I hope that helps with your question.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. Really quickly. What about, you know, kind of -- like one thing it looks like Ms. Daleiden brought up was just, you know, trying -- trying to mitigate the concern of heavy vehicles and construction traffic during peak rush hour. How -- how does that align with your business practices? I'm just curious if -- if it's feasible to try to do that or if that's not realistic. I don't think it would be a requirement from the city, but I just kind of wanted to understand how you approach that.

Adams: Mr. Mayor, Council Woman Strader, this is a really good question. We do -- I think we all experience that pickup truck with trailer on the road. You know, honestly, I -- I don't have a good answer for that. I think that -- there is one thing -- okay. I maybe have an okay answer. This is not a builder team. This is Lennar doing the construction and building all of these homes. So, that is a unique aspect to this. In there -- and because of that the developer also has control and contract relationship with the trades. Okay? So, I don't know if -- I mean there are ways to have meetings and discuss those kind of things and try to set some parameters for the contractors. They are public roadways. People can drive on public roadways 24 hours a day. However, again, Lennar is so reachable because of their team, I think it would be the ability to correct a problem if a neighbor -- if -- if they are just going down Viso, going down Viso, people know who to call to get a correction made. I don't think that's a perfect answer to your question. I think you bring up a real issue that's faced in this valley, but I think, you know, Lennar -- we are going to do our best to take good care of the neighbors.

Strader: Okay.

Simison: So, Matt, question. Maybe I missed this. On this -- on this does the gray -- dark grey symbolize anything specific in the road?

Adams: Yes, Mr. Mayor. Good question. You didn't miss it. I skipped over it. So, because we want to create that safe environment we have been talking about for pedestrians, we -- we want to create -- we are closing the gap. There is a huge gap here. Mack talked about kids walking down the edge of the road. That is terrifying. We are fixing that. Kids are going to be able to walk from here to the school. They are going to be able to walk from here down to Walmart, whatever it might be. To promote that safety for pedestrians within our development we have traffic calming and these specific dark intersections are enhanced concrete paving, bulb outs and it's -- it's traffic calming and pedestrian safety enhancements.

Simison: And people maybe get -- have you thought about any roundabouts and -- especially the one in front of the community pool space? That's what I originally thought what it was until you blew this up and so that's why I was curious.

Adams: Yeah. Good question.

Simison: I do like roundabouts in the right place, so don't get -- don't look so surprised.

Adams: So, I'm a landscape architect and I said, hey, let's put a circle in there. But my engineers, thank goodness, said, well, it has to be a real roundabout. So, the scale of that is so out of scale for a neighborhood and a community it actually makes it harder to like cross as a pedestrian, because the distance you have to cover to get across that when you are in a local road type setting. So, we -- we briefly studied it and went away from it and went with the bulb outs and the enhanced pavement in lieu of a roundabout.

Simison: So, just for perspective like -- so, I'm not -- Zaldia and Tuscany, you come in collector roadway, there is a roundabout that enters, are you saying that your space is smaller than that, bigger than that or that -- that development got it wrong when they put in a roundabout? I -- I'm just -- I'm just curious when you say it's -- it doesn't work, I think they work great, because we all slow down and people cross in that location. Just curious.

Adams: Mr. Mayor, that is a valid question. I'm not familiar enough with that project to really comment on how it relates to this one.

Simison: There is also normal street width on this one?

Adams: Yes. These are all standard ACHD local roads and the collector -- correct roadway widths, right of way widths. Perhaps it comes down to design decision on the roundabout and we chose not to do it.

Simison: Fair. Yeah, I think it does get to some of the comments that were made by one of the other people that discussed about, you know, creating that space, you know, we -- we -- we have to go through ours about ten miles an hour as a jump -- that's -- that's the design standard that it is and it gets hit all the time in the winter, because people try to go too fast, they slide right into it. So, you know, they are not without challenges, but they do function quite well, so -- I digress though. Thank you.

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: Mr. Mayor and Mr. Adams, just maybe the third time is going to be the charm for me and -- and I will finally make the connection. First, I -- I appreciate the fact that you brought a new product back after P&Z. That you listen to the comments that were made and you worked with staff. So, I like a lot of this and as -- at my advanced age I like the Next Gen concept, too, so I may be moving in. Connect the dots for me though. When you started your presentation you talked about the infrastructure basically being in place before homes are built, before cars are put on the road and I appreciate that, too. So, what will be on McMillan and what will be on Black Cat? Will -- will there be sidewalks? You will carry it out 17 feet of pavement and that will all be addressed

before homes are put in or are we waiting until phase two and the roundabout is in and, then, you can move forward with phase two and, then, those improvements on Black Cat and McMillan take place? Because I -- the only thing I'm struggling with this is -- is the chart that showed the 2030 timeline and the 2040 timeline. You can build a beautiful roundabout, but if you don't have the connection from Black Cat and McMillan to Chinden and, then, south and, then, McMillan is still in its current condition, I -- I'm struggling with that.

Adams: Thank you. Mr. Mayor, Council Member Whitlock -- Linda, is it possible to put our phasing map up from your presentation? So, to answer your question what's -- so, phase one final plat would have to be recorded prior to any building permit issued for a home. Okay? So, what is phase one I think is part of this question. Phase one -- not completed by Lennar, but completed includes the traffic signal. It also includes all the required frontage improvements. There we go. It's everything in yellow is our first phase. So, this helps a lot. Thank you, Linda. So, the widening as you said to get a minimum of 17 feet from the center line to the edge of pavement and the ten foot multi-use pathway and the undergrounding of the Lemp Canal on McMillan would be completed in the first phase. The widening and the pedestrian sidewalk on Black Cat would be completed in the first phase. The turn lane on McMillan for Grand Lake, which is going to make a dramatic -- it's in the chart itself creates a bunch of additional capacity trips. The turn lane and Grand Lake are all in phase one. So, you can see there is a -- there is a lot of roadway and a lot of adjacent improvements in that first phase. This does show that connection on Viso as well, which we talked about a little bit. Not ideal possibly, but seems like it's a connectivity requirement and if -- if I got your answer great, if not just let me know and we can keep talking about it. Thank you.

Whitlock: Thank you for that. And, again, you are doing your part, you are doing your 17 feet over to -- from center line over to your project and -- and so kids will have sidewalks along Black Cat, they will have sidewalks along McMillan, that's great. My only hang up again is the connectivity to Chinden to the north -- and that's not your problem, but that's a -- you know, we are talking 2030 and 2040 based on when ACHD thinks that they will get to those projects. So, we may have an island in the middle of still some -- some ongoing traffic issues that are outside your control, but it's still concerning to me.

Adams: And, Mr. Mayor and Councilman Whitlock, I do want to note level of service capacity is really driven -- what I have learned by the intersections. So, a traffic lane in free flow can handle a tremendous number of cars. What -- what it means when you get to level service D, E, F, it means it's not free flowing any longer, it's forced flow. So, stop and go. You experience some delays. It does not mean it's stopped; right? The best way to get those lanes flowing is to take out the four way stop and get ourselves to a roundabout, then, no one stops and so, then, you create the flow that allows the two lane road, the existing, which is not perfect, needs future investment, but it allows it to function at a much higher level. It's an intermediate improvement to what you are specifically saying. It's not a total solution, so -- thank you.

Simison: Okay. Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Council have any additional questions for staff? Mr. Mayor, I move we close the public hearing.

Overton: Second.

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

MOTION CARRIED: ALL AYES.

Cavener: Mr. Mayor, maybe for some deliberation.

Simison: Councilman Cavener.

Cavener: Thank you, Mr. Mayor. So, Council, anytime I look at the land use application first thing I go to is the staff report to see what the roadway impacts are and the impacts on the schools and roads are over capacity, roads are in poor condition, it's a pretty high hill for me to climb to be able to get to move to support and that's certainly the same way that I -- I approach this particular application and commend staff, Linda, great way -- way to present the application. I appreciate you acknowledging the work the applicant's done to really address a lot of the concerns that came from P&Z. That was one of them. For the applicant, when there is an application that I typically don't like, a tell of mine is I ask them what -- how is the community going to benefit from this application and I got to admit I was getting ready to ask you that question tonight. But you did a great job of laying out and particularly the -- the transportation improvements along McMillan, but I did the math, you factor five -- or five days of commuting, 50 weeks a year planning for some vacations, between now and when this is all built out, that's 3,750 commutes. A lot of waiting. However, I'm -- I'm offsetting that from the elevating of the roundabout and I do think that this project, getting that to your point the -- the intersection improved, even with a signal, is going to alleviate a lot of the congestion. The good news about the schools that wasn't on my radar, again, the fact that Star Elementary is going to be built, that addresses my other problem. So, I -- I -- again, I said it earlier, I appreciate your enthusiasm. I commend you for anticipating the questions and bringing real solutions -- not a puff piece, but real solutions and so I'm -- I'm going to be proud to be supportive of this project tonight, because I do think our community is going to benefit from it.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Based on reading the discussion at Planning and Zoning, I thought this would be dead on arrival, to be honest with you, and did not -- wasn't a fan of the -- of the previous proposal at the same location, but, as I said in my opening remarks, I -- it's very refreshing -- it's -- it's very rare and I really commend you for taking community concerns seriously and coming up with solutions to those problems. McMillan is a mess and I am convinced now having reviewed the presentation that the improvements at Black Cat and McMillan will go a long way toward fixing those issues and this is a huge choke point right now with a four way stop. It's a complete mess. And I really do think that by building the roundabout it will -- it will significantly help to alleviate the issues. So, I guess my -- my comments just generally would be -- this is kind of the bar for me right now to get something improved along McMillan. It really needs to include this level of partnership and that's just for all those in the audience or those who might listen online, I think that's really what it takes. But I'm convinced that you met the challenge and you took it seriously and I just really compliment you for doing so. I appreciate the extent to which your phasing plan helps to meet the needs, especially to Councilman Whitlock's concerns and I share the same concerns about pedestrian connectivity along Black Cat and McMillan, that those will be completed in the first phase and, again, with the significant financial contribution to the roundabout I think that goes a long way towards solving the issues and taking the school issue seriously and understanding the timing of that was extremely helpful. So, it doesn't completely solve all the problems, but, then, again, I don't think it's fair for one developer to completely solve all the problems either. It's a balance but your partnership in -- in this application has been fantastic and I will be in support.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Kind of want to continue on with Council Woman Strader's comments. I have been kind of critical of -- of proposals along Black Cat just because it's a challenging sort of infrastructure with the roadways and oftentimes we -- we get presented the challenges and we get to figure out how we are going to solve them and it's really hard, we are -- we have essentially said, well, we -- we can't solve it. It's out of our hands. So, in some cases it's led us to deny some projects. So, I -- I will echo what was said. We commend you for bringing solutions, because without that these are problems that probably end up in us saying, no, not yet, we are not ready. So, it's not lost on me your contributions there. So, yeah, I -- I was -- when I was initially looking at it I wasn't sure that I was going to be in -- in support of it tonight, but I do think that this sends a message that if we want to develop this part of Meridian it's going to require some -- some help -- some voluntary help from applicants. ACHD's -- you know, their -- their -- their plans are so far out it's not even realistic. So, we are kind of looking for a little bit of a help to -- to fix these problems and I think you have -- you are addressing some of that. Like Council Woman Strader said, it's not all of them, but it seems enough that it -- it gets me to the point where I -- I feel comfortable saying I could -- I could move ahead.

I -- I am still kind of -- scratch my head over the north-south on Black Cat, like Councilman Whitlock said, that's -- that's a big problem, but I have been stuck in that four way for a long time, so it is a problem and I'm glad to see we are at least kind of moving ahead. So, I will be supporting it tonight.

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor, I echo the sentiments of my fellow Councilmen that it's rare that somebody anticipates what we are going to ask and brings it forth. So, it's been very refreshing to have that done and so I think that what -- all you are doing with the traffic and things that are really going to make a difference are very appreciated. I would also like to thank Mack for his comments. I think that the safety that moving the canal provides was really pointed out and makes a very significant difference in that area as well. So, I will be supporting this.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Without trying to repeat everything that's been said, I guess I really appreciate when you get an R-15 and you can go to 2,000 square foot lots and you bump them all the way to 3,400. You are not trying to squeeze everything in that you can. I like the 5.62 dwelling units per acre. I always like -- the lower the number the happier I get. What will really impress me with this whole process you guys have gone through it's not just the monumental changes you have made since your first hearing, it's that you guys have -- I was trying to figure out how to say this and what I think you have done when it comes to transportation at Black Cat and McMillan is you stepped up and become a partner in the overall solution to the roadway problems we face and not all developments do that and I can't tell you how much I appreciate seeing you step up and take that role as a partner in a solution for a problem we have got right now. I appreciate it very much. But I also need to point out one thing, the Next Gen house, I got stuck reading that over and over again and I'm so impressed that you are putting in something -- we built our house 22 years ago and my wife's parents live in that exact style of suite with all those amenities, that has its own little entrance and exit and garage and workshop and you can't tell from the outside that it's not one home and it's -- like I said, they have been there 22 years and now I know what it's called, so I appreciate it very much. I will be in support of this project.

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: Again, I have -- I have said quite a bit on this. I was a no coming into tonight based on the first application, but given all that I have heard from the applicant and the changes that they have made, Tony, talking about your neighborhood meetings and



going out and visiting and taking that input and, then, coming back with a new product I think is -- is significant and a -- and a product that, like our Council President Cavener said, does make our community better. So, we -- we appreciate that. The only other concern -- and I did -- I should have maybe articulated this and given you a chance to address it, but just food for thought as you move forward. Beautiful pictures on -- on the open space. Renderings were wonderful. I did note that the playground is right adjacent to the water feature and you had fencing, it may have been adequate fencing, but something you might want to consider as you move forward is -- is just ensuring that those kids at the playground don't have easy access into that irrigation pond. Just food for thought. But, otherwise, I have -- I'm on board and -- and will be supporting this tonight.

Simison: And I can just add my comments to it. Transportation has been the number one issue identified by our community for 15, 17 years that I'm aware of and, you know, I have often talked about responsible growth and advancing transportation projects as part of really what we look to from our development community, because that is -- that is the best way that we can get the needed improvements that are -- like I say, they were needed five years ago, you know, and they are not being planned for another ten years, it's through our development community, our development partners, so we are solving our transportation issues. We are creating the necessary connections that allow us to be the -- the safe community that we want. So, I applaud you, because, you know, there is not a lot of projects where -- where -- as was mentioned I mean we -- we have seen what has been done with STARS agreement. You know, Costco wouldn't have been done without those transportation improvements. You know, without Chinden and Ten Mile being -- that would not exist. That was people looking at foresight and I think that that's what I would applaud you for is understanding but for the transportation improvements I don't think that you would be having this conversation up here today and that's a big part of what we need to see from our development community in order to have -- have the ability to continue to develop in ways and provide housing that is needed in our community and -- and, yes, we all hope it is affordable when it's all said and done. I don't know if a Next Gen -- Next Gen is cheaper or more expensive, I guess we will see what the product -- when it comes to the market, but definitely want to just add my appreciation towards bringing forward needed transportation improvements to solve issues that our residents are currently experiencing and, yes, you are going to add more, but at the same time the traffic pattern in this area is going to dramatically shift when Highway 16 is open. I don't think we know what it means just yet, but I think it's going to be better than it is today when it's all said and done and these improvements, which aren't planned, are going to help make that connection to the area more efficient, even though the road may not be widened, you are going to get people up to where they can get access on to Ustick easier, so where that will be widened and they can access 16 and other things. So, appreciate everyone's comment and -- comments this evening and with that I will let someone make a motion.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: If there isn't anyone else that's got anything else to say, I move that we approve Item No. 2, application H-2024-0016, as reflected in the staff report of December 17th and include all staff, applicant and public testimony. Oh. Mr. Mayor -- and certainly it reflects the -- the conditions that are -- are noted before us, the additional conditions within the DA.

Whitlock: Second.

Simison: Have a motion and a second. Is there discussion on the motion? If not, clerk call the roll.

Roll Call: Cavener, yea; Strader, yea; Overton, yea; Little Roberts, yea; Taylor, yea; Whitlock, yea.

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

MOTION CARRIED: ALL AYES.

Simison: Council, do you need ten minutes? Team good for five, ten minutes? Okay. We will try to get going at 8:35.

(Recess: 8:24 p.m. to 8:34 p.m.)

**3. Public Hearing for Summerlin West (H-2024-0023) by Laren Bailey, Conger Group, located on the east side of S. Locust Grove Road, between E. Lake Hazel and E. Columbia Roads in the SW 1/4 of Section 5, Township 2N, Range 1E**

- A. Request: Annexation of 63.965 acres of land From the RUT zone in Ada County to the R-8 (medium density), 17.27 acres and R-15 (medium high-density) 46.69 acres.
- B. Request: Preliminary Plat consisting of 339 building lots and 28 common lots on 63.17 acres of land zoned R-8 and R-15 zoning districts.

Simison: All right. We will go ahead and get started one minute early, so we can get out of here that much quicker. So, with that we will move on to Item 3, public hearing for Summerlin West, H-2024-0023. We will open this public hearing with staff comments.

Ritter: Good evening again. I'm going to do the abbreviated version, because I know everybody has read all the staff reports and the comments, so I, too, would like to go home. So, again, it's for annexation and zoning. They are looking at -- what is it -- 63.17 acres of land, 367 lot subdivision, consisting 337 residential lots and 28 common lots. So, this is the zoning request is for 51 lots for R-8 and 286 lots are R-15. This is a preliminary plat. This is their phasing plan, so they are looking at doing it in -- it looks

like six phases. They meet the open space requirements. They actually go above what is required for amenities. Thank you, Hethe. These are the amenities that they are proposing. Pool. Pickleball courts. Dog park. Dog waste facility. Playgrounds. Climbing rock. Seating benches. Landscaping. Two large lawn areas. Pedestrian pathway. And if I am correct they need to add one more amenity and it's for transit, which may be a bicycle station. Bicycle repair station. These are the elevation concepts for the houses that they will be proposing. This is the area where the block length is beyond what is allowed and they are asking for a Council waiver for the additional block length. So, they -- this area falls within the Kuna School District. The Kuna School District did submit a letter saying that they cannot serve the proposed development, because the proposed plat and zones -- the schools are beyond district capacity. The development will impact Silver Trail Elementary, Fremont Middle School, Kuna High School and Swan Falls school zones, which are already at or over capacity with the current enrollment. Unlike West Ada District, the Kuna School District does not have a lot of plan -- have a lot of option when it comes to busing students to different schools or withdrawing -- or redrawing the school boundaries. The Planning Commission did approve this development and they deleted two of the conditions that staff had in our staff report. They deleted condition number two and 3-D. So, the hearing was continued at one point, so that the applicant and the property owner to the north could talk about Cavalli Lane and at the previous hearing that was all resolved, so that is not an issue anymore. So, staff did recommend approval of this application and at this point I will be happy to answer any questions that you may have.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I was just curious if there is a representative from the Kuna School District here. There is. Thank you.

Simison: Any other questions for staff? All right. Then would the applicant like to come forward?

Clark: Hethe Clark. 251 East Front Street in Boise representing the applicant and I will also go fast as soon as I have the presentation up here, because I do think that ultimately there is really kind of just two issues for us to talk about on this one. We do have a staff recommendation for approval and, then, a P&Z recommendation for approval and so I think we are just kind of trying to fine tune a couple of things here, so -- maybe. I can -- I will start talking a little bit while they tap dance. So, this project, as you saw on the maps when staff presented, it -- it's very near Discovery Park. The new fire station. This is an area that is developing and it's developing in a way that makes a lot of orderly sense. You have infrastructure that is going in. As you all know just north of there the -- the Lake Hazel widening all the way to Meridian is done and something else that this project is going to help bring is the collector -- the north-south collector on

the east side coming down from Discovery Park and so I will -- I will kind of walk through some of that as we go. But as you can see this is our vicinity map. We are very close to the park. We do have the Rawson Canal on our south side and that Rawson does drive a number of design considerations and a few things that I will talk about tonight. This is a picture from a little bit further north, but that gives you an idea of -- of what the Rawson looks like. Comprehensive planning shows the majority of the site is medium density residential. That lower quarter is lower density residential, that's the area down against the Rawson. So, consistent with the Comprehensive Plan we are proposing R-15 in the MDR areas and R-8 in the LDR areas and I want to talk about the densities. So, the required density in the medium density residential areas is three to eight units per acre. So, up there we have about six, so right in the -- kind of in the middle and, then, on the low density residential the comp plan requires less than three. We are at 2.95. The staff report does confirm that we are within the required densities. We think we have a very nicely designed project. We have got significant open space. It's centrally located. I know that's something that Council Member Cavener likes to see. We are -- we have worked to be harmonious with the Rawson Canal on the south, with an open pathway, that's the regional pathway that runs all along the Rawson down there and, then, we have a ton of those amenities as I mentioned that are centrally located. We are in excess of the open space requirement. City code requires 15 percent or nine and a half acres. We are at 24 percent or 15.4 acres. So, we have got six extra acres. It's a very well connected project. So, this is -- in addition to the internal paths and sidewalks we have got one mile of regional pathways, which, as I mentioned, is along the Rawson. We are proposing to leave that open. So, what that will do is create about 75 feet of open space for the irrigation easement and, then, 20 feet of pathway with the ten foot regional pathway within that. That means that there is a very significant buffer against the county neighbors on the south of several hundred feet between our project and their actual homes. As is typical of this developer, the project's way above code requirements for amenities. Linda said we exceeded it. I was very excited about that. We tease each other about that one. We triple the amenity points. The multimodal amenity -- we have been of the -- under the understanding of the code that our regional pathway qualifies as a multimodal amenity. If it doesn't, you know, a bike repair stand, those sorts of things that could be added that would take us above triple and that's something that can be sorted at final plat. With regard to elevations, the homes we are proposing are a mix of single family detached. We have got our single story elevations, our two-story elevations and, then, these are the elevations for the R-8 area on the south. That will include some two-story in addition to what you see here. I -- I know that we have talked in the past and other applications to kind of understand what the mix looks like. So, we have a good mix of these housing types throughout the project. It will be single story only against the collectors on the east and west and on our internal entry and, then, we have a mix of the 32 foot lots internal to the project and that ranges all the way up to 60 to 70 foot lots in the R-8 area on the south. So, going to the P&Z recommendation -- I told you I would go fast. We had a staff recommendation of approval. P&Z recommended approval. The only condition we are talking about tonight is Condition 3-C and that was a suggestion of replacing the R-8 zoned area on the south with R-4 or R-2. P&Z kept that requirement in their recommendation, but I think a little bit of discussion about how this fits within the code would help explain why we think

that this is consistent and why it makes sense. So, as an additional -- an initial matter it's important to remember that the Comprehensive Plan, of course, doesn't specify zoning, it just specifies densities and we are within the density that's allowed in the comp plan, but while the density -- while we -- we meet that and while the proposed zoning is R-8, the dimensional standards that we are using are more similar to an R-4. I will explain what I mean by that. So, in the R-4 the minimum lot width is a 60 foot; right? Our typical lot -- all of our lots along this south area of the project are that same R-4 width of six -- approximately 60 feet. We have a few outliers, you know, but it -- 60 feet is the -- is a good minimum. That, again, is the same as the average for the R-4 zone. Now, on the back of these lots we have the Rawson Canal and we have the regional pathway. So, that means that the lots are not quite as deep as an R-4 lot would be, but those lots are still over a hundred feet deep and we have several of our lots along that area that are actually above the R-4 minimum, but because they are a little bit shrunk -- a little bit narrower -- or not as deep I should say, they don't hit the R-4 overall standard. But as you are walking down the street or if you are looking at those lots from the south from those county lots that are behind us, the width is going to look exactly like an R-4. So, again, what we are trying to do here is to accommodate the regional pathway on the backside and that depth, but -- and still provide something that's equivalent to an R-4 and that's -- that's the reason that we have asked -- but because of that depth issue we have asked for the R-8, so we don't have to ask for any waiver of standards. So, again, it will look like an R-4, but we didn't want to ask for a waiver, so we went with -- with the R-8. Okay. I do want to note, too, that it's still -- regardless this transitions very well. So, again, we have the Rawson between those lots and the county lots on the south and, then, we prepared this, so you can kind of see what those buffers look like. So, we have well in excess of 300 feet from these properties and, then, the irrigation easement, so -- and then -- that's 76 feet that's shown here and, then, 20 feet of easement. So, you are talking about, you know, 400 feet'ish from those homes to the southern portion of our -- of our development. So, again, rather than, you know, look for a waiver of standards or a variance or anything along those lines, we have proposed R-8 to accommodate the depth issue, but we have R-4 widths and so we think that we have tried to compromise there in a way that -- that makes sense. Okay. So, the last thing that covers the Kuna School District letter and, you know, we -- we do pay very close attention to what's going on with the school districts. School -- you know, good school services are vital to having a viable development project. This letter for us is tough, because of, essentially, the approach that it takes. The letter doesn't give us actual numbers. It says the -- the school district can't serve the students because the proposed plats in this zone are beyond district capacity. So, not -- not actuals. But the biggest problem that we have with this is that it's still that same pay-to-play scenario that we had -- that a few of you will remember when we talked about the Hadler Subdivision a couple of years ago. Though as we understand it, the policy is not -- is that Kuna School District automatically sends this letter. They don't do an analysis. They just say this is a no until you come to us with a, quote, unquote, voluntary contribution and then -- and, then, we might send a new -- an updated letter. In other words, it's -- if -- if you -- if you make the payment, you know, we can serve your kids. It's pay to play. Of course that is -- as we talked about in -- in a prior hearing that, you know, that's -- that's illegal. Idaho Code states that any fee that's established for mitigating financial impacts has to

comply with Title 67, Chapter 82. That's the Impact Fee Act. There is no school impact fee. So, that the tool that the legislature has given us to fund these necessary capital improvements is bonding and we are fully confident that, you know, when voters understand the facts and the need that they will approve the bonds, but we are concerned that this strategy undercuts that message, because when the public hears the -- the -- we are going to go get these capital improvements out of these per lot fees, we think that only makes it more difficult to pass a bond. So, you know -- and from our view it's not following state law and we think it's making it more difficult to address the need. It's also very difficult -- you are not going to build a school 1,500 dollars at a time. You need the infusion that comes with -- with a -- with a successful bond being passed and we have offered to help try to get a bond passed if the school district would try a different, you know, approach to this. We have had very pleasant conversations with the -- with the Kuna School District representatives, including the gentleman that's here tonight. But, unfortunately, we are still in the place we were a few years ago with Hadler when the city received a very similar letter and, you know, the City Council said, no, you know, don't -- pay to play is not what we do in Meridian. So, we -- we think that this has been asked and answered. But let me show you a few things that we found that kind of give this a little bit more context in terms of the -- of the numbers. So, for example, this is the current enrollment in Kuna School District as of October 2024. This is per numbers that were provided by the Idaho State Board of Education. What's interesting is that there is a spike in high school right now with the kind of a through that seems to be following and so when the -- the eighth graders are seniors they will be something in the range of -- it looks like 450 students that have gone out of the system. As you know from prior hearings we have done there is kind of a similar dynamic that seems to be occurring in West Ada as well. And, then, I would -- we also found that the enrollment figures are also tracking well lower than what was in the TischlerBice study that is mentioned in the letter. So, this is their drawing. The -- the red is the -- based on a five percent increase in student enrollment. Two is the low end with -- or, excuse me, blue is the low end with a two percent increase. We added the actual, which is the black and it's coming in significantly lower. Another couple notes that I would make. In terms of our student generation, you know, Kuna uses the .513 student generation number. West Ada uses something more in the range of .4. We study our projects, we have an older demographic, we have a smaller lot, we tend to generate something in the range of .124. That's not an official number, but that's to -- to help you understand based on what we typically see from these projects that that student generation does tend to come in quite a bit lower and, then, that's also kind of setting aside the fact that there are some other options. Students can enroll -- open enroll into West Ada. The West Ada schools are actually closer. We also have an existing K through 12 public charter school, which is Gem Prep, that's less than a mile away and has capacity and, then, another school, Valor, that's set to open in 2026 and is five miles away. So, I have gone longer than I intended, but I just -- in summary I think we have got a great project here. It's a very highly amenitized. We -- again, we triple the amenity points. We think we are consistent with the code and the comp plan and we would ask for approval with that modification to delete Condition 3-C, which requires replacement of the R-8 area with R-4 or R-2. Ta da.

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

Clark: Thank you.

Simison: Do we have anyone signed up on this item?

Johnson: Mr. Mayor, we did not.

Simison: Okay. Is there anybody present that would like to provide testimony on this item, either in person or online? If you would like to come forward or use the raise your hand feature. Seeing no one coming forward, does the applicant want to waive for now any final comments? And we will -- they will waive for now, depending on Council's desire for additional conversation.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I would love to hear from the Kuna School District at the appropriate time.

Simison: Now would be appropriate time.

Strader: Perfect.

Jensen: Good evening. Tim Jensen. 711 East Porter Road in Kuna.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Hi, Mr. Jensen. Thanks for being here. I have reviewed some of the Planning and Zoning back and forth. This is not a new issue for us, but it's something that we are grappling with. I recall from previous conversations with you that it seemed like the -- the resources available in the Kuna School District were not the same as -- as the West Ada School District, but I thought the applicant provided some really interesting information in terms of, you know, kind of seeing that enrollment at least in the K through, you know, up until -- obviously high school is a bigger issue for you guys, but I was just wondering, do you have a reaction to that data? Is the data correct? Is it -- just give me a flavor for how you are looking at this.

Jensen: Yeah.

Strader: And, then, I would also like to understand what is kind of the -- the Kuna School District's path going forward. Are you all intending to stick with this same approach? Are you looking at alternatives? Help me understand.

Jensen: Yeah. I can. Absolutely. As you all know schools -- you know, enrollment's not static. You know, you can get numbers -- we -- one of our assistant superintendents tracks our numbers monthly and go through -- through that and I actually happen to be the principal at Fremont Middle School, which is one of the -- the schools on there and -- and so, you know, I can attest to being in that capacity and actually I -- I have been the principal there for the seven years that that school has been in operation and this is the first year that I have actually had to turn down as many open enrollment applications -- I had to turn down 80 -- if I recall right it was 87 open enrollment applications and in the past up to this year I would approve 90 to a hundred of them and so this year we had that many more, you know, students within our district -- in our boundaries that attended my -- my building. So, I can attest to, you know, that. But -- but you are absolutely right, it ebbs and flows. We will get a -- you know, a sixth grade group, a cohort that comes in and, you know, they might be 20 or 30 kids lower than the other ones, but, then, our eighth grade group is a lot higher. So, the graph isn't -- you know, it's accurate in the sense of classes, you know, flowing -- flowing through, but we are at capacity. Silver Trail Elementary is over capacity right now and their enrollment has actually increased greatly since the beginning of the year, just due to -- because of their location they get hit by a lot of the new developments that go into our district, so -- and, you know, I kind of -- we -- you know, we kind of say Kuna is a 6-A district, referring to sports, we are a 6-A district and a 3-A body and so that's -- it just makes it difficult, you know, for -- for a lot of the things and so that kind of leads me to your -- the second part of your question of, you know, what is our plan going forward and -- and I think it's a bigger conversation than just Kuna School District, it's school districts in Idaho period. And that we have to rely on bonds to build facilities and -- and that's really what we are in a position to need to pass bonds and, you know, we -- this got brought up when we talked about it at Planning and Zoning, we are one of two states in the nation that requires a two-thirds vote to pass a bond for, you know, schools and so it makes it really hard for, you know, these districts to -- that need these facilities and -- and need that extra funding for these capital projects to pass a bond to go through and -- and so for our future plan, yes, we -- we absolutely would like to go through and be able to pass another bond and -- and to finish Swan Falls. You know, when they -- when they passed that bond for Swan Falls that it was -- you know, they had built the first third of that school. It doesn't have any athletic facilities, any -- you know, it's just a base CTE structure with some classrooms. It doesn't have the full build out on it and so Swan Falls and Kuna High School kids -- you know, if you are at Swan Falls you play athletics at Kuna High School, so it's just, you know, the dynamics of our thing. So, ultimately we would love to be able to pass bonds and that would lessen some of that pressure, you know, on our community members and, you know, the -- to have to go out and have to keep trying to pass these levies that are just kind of band aids to get us through, so -- but as far as our future with our approach, we did -- and I talked to a few of the Planning and Zoning Commissioners afterwards and -- and Mr. Reddy and I that were both here talked to them and we really did take their comments seriously, you know, and -- and one of the things -- I just started into this position in September and I know -- there is some of you that have been here for a while. We are expecting to see Robbie show up or somebody, you know, some have been here long enough, you know, and maybe Dave Reinhart was here doing this. So, because of not passing our levy in the spring



we actually had to eliminate the position that Danielle -- who was working for us was fulfilling and so, then, that fell onto myself and one of our other assistant superintendents Jason Reddy. So, we listened to the -- to the Commission and we -- and we went up and talked to them said we hear what you are saying and we know -- and just wanted to assure him that it didn't fall in deaf ears and after that meeting we actually -- I felt like Jason and I had a really good conversation with the developer and kind of explained some of this to them where we were coming from and acknowledged that, you know, yes, they -- you know, he talked about at one point in time they were, you know, trying to help us pass a bond, that it was tied with BCA and -- and I don't know all the details and I don't want to speak to it, I just know that it -- yes, it was there and I don't know the details and I apologize that I don't, because I'm kind of the newbie in here. Oh, the details of that of what had failed in that situation, but -- but, ultimately, I felt like we -- you know, when we walked away from that conversation, you know, we better understood where the developer was coming from, where Planning and Zoning was coming from, you know, and when they talked about the approach and so it's just -- it's one of those things that -- that Mr. Reddy and I have taken back and say, okay, we have -- you know like, okay, let's evaluate, what is our -- what is our approach going forward and all I can say is we are just in that evaluation process, because he is helping to run district and I'm hoping to run the school, so -- but it -- you know, it was something that we definitely heard and took serious when -- when we were listening to the commissioners.

Cavener: Mr. Mayor?

Simison: Mayor Councilman Cavener.

Cavener: Tim, thanks for sticking with us tonight and thanks for being a middle school principal. That's a really really hard job. I have got some family friends who go to your school and they think highly of you and I appreciate you sticking back here and coming up and talking to us tonight. Talk to me about how school choice is impacting the -- the Kuna School District. So, certainly you have had students who have been choosing to come to some of your schools. I assume there are residents who live in Kuna that could go to a school and they are choosing to go somewhere else. How is that impacting your guys' operation?

Jensen: Yeah. We -- we didn't know, because we have got, you know, a couple charter schools within close distance to us and what we found out is it kind of just balanced out, you know, and I will speak specifically for my school, you know, we -- we had -- we lost a total -- I want to say it was like 17 or 18 kids that went to -- you know, went to a couple of charter schools around us, Gem Prep and Falcon Ridge, but, like I said, I had an influx also of open enrollment applications come in, you know, most of which I had to turn down and so it's -- you know, it really -- you know, it didn't hit us like we thought maybe it could where we have a lot of people leaving and going and part of that is people move to Kuna to be part of Kuna, you know, whether it's with the schools or the community or the activities going on, you know, so we didn't see the -- the big, you

know, exodus out, you know, of our schools that could have happened and so -- it's a good question.

Cavener: Mr. Mayor, follow up?

Simison: Councilman Cavener.

Cavener: Have -- have the trustees ever explored or had a conversation about just becoming a part of West Ada and, if so, what's -- what's prevented that from happening?

Jensen: You know, it's -- I -- I know that that has been a conversation, but that's all I know of the conversation. That I -- I don't know and -- and I can speak from prior to coming to Kuna I was a superintendent up in Council and if you have been here for a while, you know, a little mountain town of Council and I asked the same thing up there, because Cambridge, Council, New Meadows, all have their own superintendents, all have, you know, these different things and I was like why has there been no consolidation, you know, one superintendent could run through these districts and all that stuff and there was so much pride in there, everybody was afraid to lose I guess a piece of their identity or the ownership of, you know, if you are in a collaboration. I'm not saying that's what happened in this, but I just -- sometimes you run into things that are just out of -- you know, out of say your regular control and so I just give that example as my own experience.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Quick question, Tim, and appreciate you being here and you might just be more of a --

Jensen: Yeah.

Taylor: -- messenger here, but in the letter it states that enable -- in order to serve the development the school district board of trustees is requesting developers assisted with certain kinds of donations of various forms. A couple paragraphs later it says to reduce our reliance on bonds and promote reasonable growth we generally seek partnerships with developers. So, when I read that I think even if there is some kind of contribution from the developers it's still -- the solution is the bonds -- passing the bonds. So, the letter makes it sound like we should approve it if the developers agree to some kind of financial contribution, but there is no other data points or sort of -- there is no other information for us to make a decision on. Again, maybe, you know, I know you didn't write the letter, but you are the one standing here. I don't know if you can speak to -- to that and it kind of tells off what Council Woman Strader said about your longer term vision is clearly passing the bonds, but if you could speak to that for a minute.

Jensen: Yeah. And that was actually one of the things from the Planning and Zoning meeting, because they had referred to -- and I actually saw in the first meeting West Ada's letter that they had submitted and -- and what, you know, that looks like with the data and stuff like that and so we -- you know -- and, again, not an excuse, you know, me starting in this in September, you know, it -- but I -- I always -- I'm a lifetime learner myself and so what I learned from that meeting with Planning and Zoning was what West Ada is providing for, you know, Planning and Zoning for you guys to see are those data points, instead of like, hey, this impacts these three schools. Well, how does that impact them and here is the numbers on it and here is the -- and so going forward, yes, I know -- we -- that's one of the things we are reevaluating is what that looks like of what we bring to you guys, you know, because we -- we come in front of you guys, we go in front of Canyon county, Ada county, Kuna, you know, we are all over, because of our district and so what's, you know, what is good here is going to be good for any of the -- the commissioners or, you know, boards that we go in front of, so --

Taylor: Mr. Mayor, quick follow up.

Simison: Councilman Taylor.

Taylor: In the spirit of -- I guess good feedback for you, I think maybe what you even observed in the previous application when an entity helps us solve a problem by not just saying this is a problem, but saying here is how we can work through it, that's really helpful for us, because we -- you know, we can't just be presented a problem and, then, leave it up to our own imagination to figure it out. So, in terms of sort of helpful feedback, I do think any kind of data -- help us solve the problem. I really think it's in the school district's best interest, too, to stop asking for any kind of contributions publicly. I think that's just -- I think it's not well received by anybody. I think that's a good message. But help us find a solution. It doesn't have to -- you know, we understand there -- there is limitations that you have, but it's just really helpful for us as we kind of try to think through what's the best decision for those sort of long term here.

Jensen: And I appreciate that. I actually put that in my notes on my phone when I was listening to you guys, so --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I am curious about, you know, kind of your just reaction generally to, you know, now there is open enrollment and it is very possible with West Ada schools that may be closer or more convenient that folks may enroll at West Ada or more likely, because a lot of those schools are over capacity as well. You know, there are also the charter schools coming as well. Does that -- in terms of what you have seen play out does that give you any comfort that you will likely not receive kind of the full student load from this development or what are you kind of seeing as you look at the data?

Jensen: I think it's an -- you know, you made a great point with, you know, because of its location it's -- you know -- you know, close to Gem Prep and charter schools and, you know, they can -- you know, it might be closer and because of our boundaries, the way our boundaries are, butting up to Meridian, sometimes those developments are -- it's closer for, you know, someone maybe to take their kid to Lake Hazel Middle School, instead of Fremont Middle School. But we -- we do see just kind of a balance, because also what we are seeing with that is, you know, those buildings also have capacity, you know, and they can only -- you know, take so much even in charter schools are built to have a certain capacity, you know, at their grade levels and so -- but not only do those schools -- you know, not only are they going to get those applications from the Kuna, you know, School District students and, you know, a development like this, but they are going to get applications from, you know, Boise, Meridian, Nampa, you know, there is a -- you know, they are going to get them from all over and so as far as how it impacts us we are not -- we are not seeing -- you know, because they go in we are not seeing this happen. I would think -- you know. And -- and the graphic that he shows that goes back to that TischlerBice study that was done, yeah, our growth isn't going at the same pace and -- and that -- you know, we are not going to sit here and try and -- and tell you it is, but it's still growing, but it's just -- it's one of those things where we have to be conscious of it and try to plan for it and -- and offset it, you know, however we can through bonds, levies, you know, whatever it is that we have to rely on. But we don't see -- we don't see -- you know, this -- we will get kids from a development like this, but we will also lose kids to West Ada or to the charter schools as well and so --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Does the Kuna School District like -- so, just -- the West Ada School District does actually -- we saw -- the last time we saw it was like two years ago, but they do create a projection model --

Jensen: Uh-huh.

Strader: -- do you all try to project your expected -- I mean you obviously do for your impact fees, et cetera, but do you -- I'm sorry, no, you don't, but you -- well, what -- where did the chart come from, the -- the -- what was it, the Tischler --

Jensen: Tischler-Bice.

Strader: Yeah. So, help me understand how you project your student population and -- like a theory I have kind of going is that when we see a new development we see a big influx of kids; right? Because you have families moving in, but a lot of families stay in place even as their kids kind of leave the nest. So, where we are seeing like these lower numbers on your kind of kindergarten, first grade, do you project that out and do you expect a decrease overall or what do you -- what are you projecting?

Jensen: No. We do -- we -- you know, there is a formula and -- and I wish Jason was here, he could probably speak to it more fluently than I can, but there is a formula and -- and part of what we look at is also, you know, developments that -- that come across your desk and developments, you know, that are approved that come across, you know, in Meridian, Kuna, Nampa, Canyon county, Ada county and you take that formula and, you know, that -- it's not exact that we can say, okay, we are -- get out of the development we are going to get an additional 70 kids that are going to be in our system, 110 kids in our system, whatever, and it kind of gives us somewhat of a projection to take a look at. But as you well know that's just a projection, because we could say there is going to be 110 kids and there is 150 or we could say there is 110 and there is 70 and so it kind of gives us a planning basis to take a look at, but the -- the way funding is done in Idaho, you know, it's almost backwards, you know, and -- and for the right reasons. You can't build structures or anything until the kids are in the seats and so, you know, you have to almost wait until you get overloaded before you can, you know, try and react to build schools or stuff like that and, then, you hit the other hurdle with trying to pass a bond. So, our projection -- I mean, you know, if you have driven out by Kuna at any time lately I mean there is development, you know, that's been approved out there all over the place and so we are on a projection -- an upward projection as far as, you know, the number of students we are going to have. I apologize I don't have those numbers with me, you know, but I do know that in our conversations that, yes, we are still on a trend upwards of increasing enrollment and -- and I would agree with you with -- there are a lot of the new developments. We have seen it actually in Kuna as well, that go in and -- and there is a lot of retired citizens that have moved in say from out of state that buy -- you know, buy a home and they don't have kids that feed into our system and so it's -- you know. And for a while we were seeing kind of the mix of both worlds. We were having a lot of retired citizens move in, a lot of young families who, you know, kids, you know, might not even be school age yet, but eventually we are going to get those kids, you know, coming through our system. So, we try to -- you know, it's a formula. You try to take your best educated guess at what you are going to get, but until you see the -- the whites of their eyeballs you really don't know the impact of your -- your developments and so --

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Just a real quick question, Mr. Jensen.

Jensen: Yeah.

Overton: If this gets approved tonight and these houses are built and you have capacity at your school, even though you have a formal letter saying you don't approve of this development, will those students have a school in Kuna to go to if you have capacity?

Jensen: Yeah. We -- and we have to -- you know, by law we have to serve those students. They are in our boundaries and we have to serve them, you know, and -- and

you -- you figure out what that is and -- and -- and please know this isn't, you know, a sob story, but it -- it can mean an increase in classroom sizes, it can mean, you know, possibly having to look, you know, the one before -- you know, one of the applications talked about portables, you know, by law you have to serve those kids in your -- that are in your boundaries and so you do what you have to do and sometimes, like I said, usually one of your biggest sacrifices is just your classroom sizes and so --

Overton: Thank you.

Jensen: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Just some food for thought for you to probably take back to the trustees. I'm only on the Council for one more year, but I anticipate we may see something that touches your district. I won't support these -- and maybe not for the reason that you or the trustees think, it's -- it's a big part about remaining consistent; right? Our community now touches two school districts. West Ada doesn't have the mechanism. We have got schools within West Ada that are much higher over capacity than some of your schools. I can't in good conscience say, yes, let's -- let's require the developer to give Kuna School District money, without having a mechanism to solve the same problem that exists in West Ada. So, I don't fault you for asking, but just want you to know -- at least for the next year if any of these requests come I will at least -- I'm going to be a no on those moving forward. Fair enough?

Jensen: No, I -- and I appreciate the feedback. I truly do.

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

Jensen: Thank you guys for your time. I appreciate it.

Strader: Thank you.

Simison: Would the applicant like to make any final comments?

Clark: Members of the Council, Hethe Clark. 251 East Front Street in Boise. I don't know that I have anything specific in response to that. You know, we -- we -- we really enjoyed our conversations, you know, with the principal, he is obviously a great guy doing the best they can. It's just not a good policy and hopefully we can get past that. The only other item that I would mention that I did not mention before was on this buffer question and something that I -- I probably should have brought up. You know, it will -- this will be quick. So, the Mayor has mentioned like are we planning for what is in the county or are we planning for what will be in the city and I failed to talk about what will be if those properties to the south of us are actually developed. If those properties are

developed it's going to be a fairly expensive accumulation of those parcels and big houses, big parcels, they are going to require some density for themselves to be able to -- to pencil out, so we would anticipate that those are probably going to at least be R-8 down there as well. So, we think in that question of what it will be in the city versus what is in the county, we think we have kind of addressed that both ways, both with the R-4 width on those lots, the distance and the buffer that you can see there and, then, understanding that if those redeveloped they are going to come in at -- at a density that's significantly different than what you see now and I'm done.

Simison: No, you are not.

Clark: Okay. I'm ready.

Strader: Mr. Mayor? I just wanted to make sure all of the sewer line concerns have been resolved. The sewer line is not an area that I ever plan to be an expert in, but just what's going on with the sewer line and is it adequate?

Clark: If you would like me or which --

Strader: If you could talk about what you have done to establish that and, then, I would -- I would love to hear from staff if it's --

Clark: Yeah. And that -- Council Member Strader, that was part of our conversations with our neighbor, trying to help them understand what -- how this is all going to work. So, the northwest portion of our project sewers toward Locust Grove. We are going to be bringing that down and so our neighbor would have the opportunity to connect to that, but that's not where he is supposed to sewer, so that would be a conversation with Public Works. But if Public Works agrees with it we are totally fine and it's not our -- not our -- not our fight. The rest of our sewer goes out toward Discovery Park.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Would it be okay to hear from staff really quick if we --

Simison: We can -- we can definitely try. Do you want Kyle to try to answer? I mean he is a water guy. I mean -- I don't know if water guys can really speak to sewer. They are -- they are -- they are kind of like, you know, not really that important -- yeah, Kyle, go ahead.

Simison: He -- he is on. He has got his hand raised. Chris, I don't know if -- okay. All right. Kyle, if you are there impress us with your sewer knowledge.

Johnson: Kyle, we are ready for you.

Radek: Okay. I had to -- I had to find the unmute button. So, I guess you can hear me now since I saw somebody smiling there. I don't know a lot about this, but I did check with Clint Dolsby on this before -- before he left the office today and we are okay with that plan for them to bring the sewer down Locust Grove and there are no capacity issues that he -- that he made me aware of, so -- so, as far as the -- the concept of serving the development there are -- there has been no problems identified with the wastewater folks at Public Works.

Strader: Thank you.

Simison: Thanks, Kyle. Council, anything more for the applicant at this time? Okay.

Clark: Thank you.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: I make a motion that we close the public hearing on File No. H-2024-0023.

Cavener: Second.

Overton: Second.

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

**MOTION CARRIED: ALL AYES.**

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Just make some comments here to get us moving along. I think it's a good application. I think this part of -- of Meridian -- I like the way it seems like it's developing with the parks and the open space and -- and a lot of -- a lot of nice amenities. A lot of these applications are -- are bringing forward. So, I -- I like it. I -- I think it's going to add a lot of value. I do think that the solution for Kuna School District is eventually enough pressure for the residents to realize that they need to pass a bond to address their needs. There is not much more that can be done outside of that and I -- it's -- as Mr. Jensen stated at -- when the demand is there enough the pressure will build where people will realize that that's the right thing to do and the appropriate thing to do. So, I think -- the other thing I will make a note, I -- I think I agree with the request to delete Condition 3-C to leave it as R-8, instead of changing it to R-4 or R-2. I think that -- that seemed reasonable to me. So, I'm going to be supporting the -- the application tonight.



Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: I agree with Councilman Taylor's comments. Also agree with the waiving of the Condition 3-C. Obviously, the applicant's done a great job. You know, sometimes we see R-15, we think we are going to have high densities and, then, the R-15 comes in at 6.12 and we see the R-8 come in at 2.95, all within numbers much lower than what they do because of lot size issues that sometimes crop up in these developments. So, I'm going to fully support this application and I agree with the deletion of Condition 3-C.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I have a lot of -- my heart goes out to the Kuna School District for the challenges that you all are facing and in the past it's been a real struggle for me to try to determine, you know, kind of how -- how to address this, because I don't like putting another agency in a spot where they just are saying they can't adequately serve the kids. Kuna School District is not as well-resourced as the West Ada School District. However, you know, some of my thinking is evolving around the fact that, you know, now we have such fantastic open enrollment options and the charter schools are starting to come to this part of Meridian. We just got an update recently on a -- on a different development last week about Gem Prep and a -- and a couple of other things coming, so, you know, that makes me feel like there are options that it is workable. It's not ideal, but, you know, there -- there are a lot of educational options coming to this part of Meridian and I do think just as a piece of feedback I -- I think that the -- I don't think that it's totally unreasonable to try to come up with some type of a mitigation fee. I mean we -- we have seen that in other cities where they have tried to take that approach, but not necessarily with schools. I think in this case it -- it -- it kind of undercuts the Kuna School District, because it -- it makes the feedback from the district seem more arbitrary where you are sort of getting one letter if folks do not, you know, meet the school district with their -- I guess it's kind of loosely a request, but for -- for mitigation fees. Then on the other hand, you know, if they -- they take the other approach maybe the letter looks different. And that does bother me and I think that kind of arbitrary nature sort of undermines even my ability to support the Kuna School District, because if the Kuna School District was just coming to me saying we just can't support these students, it's a much cleaner decision for me. It's like a very simple thing. We don't have adequate public facilities. But what I'm hearing instead is the Kuna District can sort of support applications that provide mitigation fees, but that even your own district acknowledges -- and I think just the math shows that those fees will never be adequate to actually improve the situation and build -- build new schools because of how expensive they are. So, that's -- that's a challenge for me is, you know, I -- I just can't kind of -- can't fully support the Kuna School District without a more consistent approach and I think that this kind of -- two different letters coming out is really

problematic for me and with the other educational options in the area I think -- I think there is a way to meet the needs of students. So, I will be in support of the application tonight.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Unless anyone else has any comments I would like to make a motion. After considering all staff, applicant and public testimony, I move to approve File No. H-2024-0023 as presented in the staff report for the hearing date December 17th, 2024, and remove Condition 3-C to allow the zoning to remain at R-8.

Overton: Second.

Simison: I have a motion and a second to approve Item H-2024-0023. Is there a discussion? If not, clerk will call the roll.

Roll Call: Cavener, yea; Strader, yea; Overton, yea; Little Roberts, yea; Taylor, yea; Whitlock, yea.

Simison: All ayes. Motion carries and the item is agreed to. Thank you very much.

MOTION CARRIED: ALL AYES.

### **FUTURE MEETING TOPICS**

Simison: Council, anything under future meeting topics or a motion to adjourn?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: The last meeting in 2024. I want to wish all of you a Merry Christmas, Happy Holidays, joyous 2025. This year has been a true honor for me working with all of you and I'm proud to call you all friends and colleagues. Hope you get a little bit of downtime. A little pay back with family time and we will see all of you back here together in 2025. With that, Mr. Mayor, I move we adjourn.

Simison: Motion to adjourn. All in favor signify by saying aye. Opposed nay? The ayes have it, we are adjourned.

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 9:25 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

\_\_\_\_\_  
MAYOR ROBERT SIMISON

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
DATE APPROVED

ATTEST:

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK