

Cavener: Mr. Mayor, I will second the motion.

Simison: Motion and second.

Nary: Thank you. Sorry. I apologize. I'm assuming that you have reviewed this letter and don't -- and don't believe it's risen to the level that requires a reversal. I know that was implied, but I just wanted to be sure that's -- that was the basis, so --

Bernt: That's exactly right. Second agree?

Cavener: Yes.

Simison: Is there discussion? Councilman Borton?

Borton: Yeah. Thank you, Mr. Mayor. I -- I looked at that August 27th, 2021, letter that Mr. Tsai provided for the request for reconsideration and -- and it raised some -- some -- some kind of procedural and substantive questions that -- that I think were the basis of their reconsideration, but when I looked at what -- what took place at the public hearing and -- and the volume of information that the Council was provided, both from the public and from the applicant, I agree with the motion maker, I think that record sufficiently explained the -- the dialogue and basis for the ultimate decision that was made, after gathering all of the input from all the parties involved. Our staff included. So, I didn't find anything sufficient within the August 27th request for reconsideration that would warrant changing the decision. So, for all of those reasons and the reasons set forth on the record at the original hearing, I'm supportive of the motion.

Simison: Thank you. Council, any additional comments or questions on the motion? Okay. Ask the Clerk to call the roll.

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

Simison: All ayes and the motion carries. Thank you.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

2. Public Hearing Continued from July 27, 2021 for ACHD Ustick Maintenance Facility (H-2021-0029) by Engineering Solutions, LLP, Located at 3764 W. Ustick Rd.

- A. Request: Annexation and Zoning of 30.27 acres of land with a request for the I-L zoning district for the purpose of constructing an Ada County Highway District (ACHD) maintenance facility on 23.7 acres.

Simison: Next item up is a public hearing continued from July 27th, 2021, for ACHD Ustick Maintenance Facility, H-2021-0029. I will turn this over to Joe to get some questions and comments first for --

Dodson: Mr. Mayor, yes. I just wanted to -- if the Council would like me to reiterate anything from the previous hearing I can, but just I guess to reiterate, we continued it in order to work with the applicant on ACHD's maintenance facility staff to figure out some better language. It was my understanding that we came to an agreement on this revised language in response to that. The ACHD commission sent a letter, as I hope you guys have all read, that requested a six month continuance from now. So, I believe -- my understanding, unless something's changed, that the motion tonight that is being requested by the applicant is to a six month continuance and other than that I do not have any other updates.

Simison: Thank you. Council, questions for staff?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, those letters were dated on this same day, Joe. Is it possible to just -- they got crossed or were there two different parties -- was -- I guess I'm trying to understand how we are working on that wording and, then, we get a letter basically back the same day. So, were the -- the different parties that made those decisions aware that, you know, this was being worked on? Because I believe the letter came from an ACHD commissioner and not the staff and that the staff was working on those wordings in the DA provision. So, is that kind of what happened? I'm just trying to understand what's transpired.

Dodson: Sure. Council Woman Perreault, Mr. Mayor, I can't speak exactly to what happened behind the scenes for them, but I do know that a few days prior to the first we were working on the language, semi agreed to it, then, send out that final report. It was that -- later that day that I believe the applicant Representative Becky and ACHD took that to the commission and they met on it. So, that's why -- and, then, we quickly did receive a response back. So, I don't think it was something that they didn't see. My understanding is that the commission did see that and so the response is based upon this, as well as probably the overarching discussion.

Simison: Would the applicant like to come forward?

Price: Sure. Steve Price, general counsel for the Ada County Highway District. Mr. Mayor, Council Members, I'm here really -- the commission has asked for a six month deferral to May 8th, 2022. I think the letter speaks for itself and I'm happy to answer any questions. I would like to -- in advance I would like to thank your staff, as well as Mr. Nary for meeting with us and working through some of the issues. But the commission has decided to go ahead with the letter.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I watched that commission meeting. Can you clarify -- in our -- in our last hearing and in the letter that we received as well there has been statements made that the city is requesting an additional amount of -- what's the word? An additional amount than we -- that -- from ACHD because of the nature of what you do beyond what we would any other applicant for a land use application and I'm wondering if the staff had had an opportunity to make clear what we would ask any applicant -- any private applicant on a land use for as far as providing sidewalks and all those things. Has that been clarified? Is that more clear to the commission and the staff than it was since our meeting?

Price: Mr. Mayor, Councilman Perreault, the -- it's a particular opinion within the district that a ten million dollar project in our five year work program that's being exacted for a project that only generates probably two to three hundred trips per day is inappropriate. I think it's a bad practice. I think the view is it's a bad practice, that as part of any development application that a condition of that -- a development application is to pick a project within the five year work program for improvement. That's -- that's a view that's held by commissioners.

Simison: Council, any additional questions at this time? Okay. Thank you. And with that, Council, do I have a motion?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Move that we continue H-2021-0029 -- I guess it would be a six month continuance. So, that puts it to mid February. I guess maybe we need to have a date specific? If there is a date --

Simison: We had a date of March 8th?

Nary: Correct.

Simison: On March or May? Which one was it? March 8th.

Borton: To continue it to March 8th, 2022. Thank you.

Hoaglund: I will second the motion.

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

Nary: Mr. Mayor?

Simison: Councilman -- Mr. Nary.

Nary: Would part of that motion be to renote the project?

Borton: Yes, please.

Hoaglund: Second agrees.

Simison: Second agrees for that. Is there any further discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it and the item is continued. Thank you.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Bernt: See you guys in a couple weeks.

3. Public Hearing Continued from August 10, 2021 for Woodcrest Townhomes (H-2021-0015) by Blaine A. Womer Civil Engineering, Located at 1789 N. Hickory Way

- A. Request: Amendment to the Comprehensive Plan Future Land Use Map to change the future land use designation on 2+/- acres of land from the Commercial to the Medium High-Density Residential designation.
- B. Request: Rezone of 2.10 acres of land from the L-O (Limited Office) to the R-15 (Medium High-Density Residential) zoning district

Simison: Next item up is a public hearing continued from August 10th, 2021, for Woodcrest Townhomes, H-2021-0015. I will open the continued public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. This application was continued from the August 10th public hearing in order for the applicant to prepare a parking analysis for the overall area and that was submitted and is part of the record. The analysis that was submitted addresses the estimated parking demand for the proposed development and the existing parking supply and demand on adjacent commercial lots, which determined there is adequate parking for the overall area. The applicant will provide more information on this study in their presentation tonight.

Simison: Thank you, Sonya. Council, any questions for staff? And would the applicant like to come forward.

Womer: Good evening, Mr. Mayor, Members of the Council. Blaine Womer -- oops. Sorry. Blaine Womer representing the applicant on this project. Our offices are located at 4355 Emerald Street in Boise and, yes, last time we were here parking -- and the joint